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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

- - - - -X
UNITED STATES OF AMERICA 18-CR-6094(G)
vs.
CARLOS JAVIER FIGUEROA, Rochester, New York
Defendant. June 7, 2021
8:30 a.m.
- - - - -X

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE FRANK P. GERACI, JR.
UNITED STATES DISTRICT CHIEF JUDGE

JAMES P. KENNEDY, JR., ESQ.
United States Attorney
BY: ROBERT A. MARANGOLA, ESQ.
CASSIE M. KOCHER, ESQ.
Assistant United States Attorneys
500 Federal Building
Rochester, New York 14614
Appearing on behalf of the United States

PAUL J. VACCA, JR., ESQ.
One East Main Street, Suite 1000
Rochester, New York 14614
Appearing on behalf of the Defendant

ALSO PRESENT: Gabriela Loncar, Spanish Interpreter
Nicolas Penchaszadeh, Spanish Interpreter

COURT REPORTER: Christi A. Macri, FAPR-RMR-CRR-CSR(NY/CA)
Christimacri50@gmail.com
Kenneth B. Keating Federal Building
100 State Street, Room 2640
Rochester, New York 14614

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I N D E X

WITNESS FOR THE GOVERNMENT

Roberto Figueroa
Direct examination by Mr. Marangola

Page 3

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P R O C E E D I N G S

2

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3

(WHEREUPON, the defendant is present).

4

THE COURT: Good morning.

08:07:27AM 5

MR. MARANGOLA: Good morning, Your Honor.

6

MR. VACCA: Good morning, Judge.

7

THE COURT: Ready to proceed?

8

MR. MARANGOLA: Yes, Your Honor.

9

THE COURT: Bring the jury out.

09:14:12AM 10

(WHEREUPON, the jury is present).

11

THE COURT: Good morning, members of the jury.

12

Mr. Figueroa, I remind you you remain under oath.

13

THE WITNESS: Thank you, Your Honor.

14

BY MR. MARANGOLA:

09:15:15AM 15

Q. Good morning, Mr. Figueroa.

16

A. Good morning.

17

Q. I would like to start today by showing you pole camera footage from Government's Exhibit 22, the pole camera compilation, on January 20th, 2018, starting at 12:13 p.m..

09:15:43AM 20

Mr. Figueroa, do you recognize the location we're showing here?

21

22

A. Yes.

23

MR. VACCA: I'd object to this line of questioning,

24

Your Honor, we've gone through this a number of times,

09:15:53AM 25

bolstering, repetitive and there's no need for it.

1 **MR. MARANGOLA:** We have not shown this witness this
2 clip, Your Honor.

3 **THE COURT:** Overruled.

4 **MR. MARANGOLA:** Thank you.

09:16:03AM 5 **BY MR. MARANGOLA:**

6 Q. You recognize the car that pulled into the driveway,
7 Mr. Figueroa?

8 A. Yes.

9 Q. Whose car is that?

09:16:07AM 10 A. That's Leitscha's car.

11 Q. This is at what address?

12 A. Fernwood.

13 Q. Who is that that we see walking up to the house in a tank
14 top and shorts while there's snow on the ground?

09:16:23AM 15 A. That's me.

16 Q. What are you doing there?

17 A. I'm going to go pick up a package, a box.

18 Q. What are you doing as you carry the box out of the
19 residence? What's happening?

09:16:45AM 20 A. I carrying the box and Lei going up to see Ingrid.

21 Q. Mr. Figueroa, how did you know to go to Ingrid's house
22 that morning or that early afternoon on January 20th, 2018?

23 A. From my brother or Lei.

24 Q. From your brother or Lei?

09:17:06AM 25 A. Yes.

1 Q. You don't remember?

2 A. No.

3 Q. Okay. I see you put the box in the trunk of Lei's vehicle;
4 is that right?

09:17:14AM 5 A. Yes.

6 Q. What are you waiting for here?

7 A. Waiting for Lei to come back to the car.

8 Q. Why did Lei go into the house?

9 **MR. VACCA:** Objection, Your Honor.

09:17:27AM 10 **THE COURT:** Overruled. If he knows.

11 **THE WITNESS:** To go pay the lady for the box.

12 **BY MR. MARANGOLA:**

13 Q. When you say pay the lady, what lady are you referring to?

14 A. Ingrid Mercado.

09:17:35AM 15 Q. Do you see the person that walked back to the driver door?

16 A. Yeah.

17 Q. Who is that?

18 A. That's Leitscha.

19 Q. Then you leave that location; is that right?

09:18:01AM 20 A. Yes, we're about to leave, yes.

21 Q. We'll stop it here. If we could now show you
22 approximately 10 or 11 minutes later, 12:26, pole camera from
23 292 Barrington. Who just pulled into the driveway at 292
24 Barrington in this clip at 12:26 on January 20th?

09:18:24AM 25 A. That's me and Leitscha.

1 Q. And the individual wearing the tank top and shorts while
2 there's snow out again is who?

3 A. That's me.

4 Q. What are you doing here?

09:18:37AM 5 A. Taking out -- the box out of the trunk.

6 Q. Where are you bringing the box?

7 A. 292 Barrington.

8 Q. Where was that box from, Mr. Figueroa? Where did that
9 come from?

09:18:59AM 10 A. I don't understand the question.

11 Q. Well, you picked it up at Ingrid Mercado's house; is that
12 right?

13 A. Yes.

14 Q. Where had it been addressed from?

09:19:07AM 15 A. From Puerto Rico.

16 Q. All right. We just see you bring it into the house here to
17 292?

18 A. Yes.

19 Q. Was that box opened?

09:19:17AM 20 A. I'm not sure. My brother got to open the box.

21 Q. Eventually was that box opened?

22 **MR. VACCA:** Objection, Your Honor.

23 **THE COURT:** If he knows.

24 **THE WITNESS:** Yes.

09:19:26AM 25 **BY MR. MARANGOLA:**

1 Q. Do you know if the box was eventually opened?

2 A. Yes.

3 Q. And what was in the box?

4 A. 2 kilos or 3 kilos of cocaine.

09:19:36AM 5 Q. All right. Now, we'll pause it here. You said that in the
6 previous clip we saw that Leitscha paid Ingrid Mercado; is
7 that right?

8 A. Yes.

9 Q. If I could show you -- if you could look on your screen
09:19:56AM 10 there, if we could use the visualizer here, might sort of
11 expedite things. Mr. Figueroa, showing Government's Exhibit
12 26 in evidence, you previously identified the individuals on
13 the lowest row of this exhibit. Do you remember that?

14 A. Yes.

09:20:15AM 15 Q. And they were individuals who what?

16 A. Received packages from Puerto Rico.

17 Q. All right. And are you aware of whether or not those
18 individuals were paid to receive packages for your brother
19 from Puerto Rico?

09:20:28AM 20 **MR. VACCA:** Objection, Your Honor.

21 **THE COURT:** Overruled. If he knows.

22 **THE WITNESS:** Yes.

23 **BY MR. MARANGOLA:**

24 Q. And do you know how much they were paid?

09:20:36AM 25 A. A thousand or two thousand.

1 Q. I'd like to show you Government's -- a page from
2 Government's 693, the ledger from 292 Barrington. You see the
3 entry next to January 2nd, Mr. Figueroa?

4 A. Yes.

09:21:01AM 5 Q. And it says 1,000 and then Ant, ANT/1,000 CJ; is that
6 right?

7 A. Yes.

8 Q. Can you tell us if you see Ant and CJ on Government's
9 Exhibit 26, which one is which?

09:21:30AM 10 A. This is Anthony and the one on the right is CJ.

11 Q. The one in the center of the row is -- on the bottom row
12 is which one?

13 A. That's Anthony.

14 Q. And then the one to the right of him is?

09:21:40AM 15 A. That's his brother CJ.

16 Q. And they're brothers to who?

17 A. Leitscha.

18 Q. All right. If you can clear your marks. Showing 693 again
19 below Ant and CJ with 1,000 next to each of their names you
09:21:57AM 20 see it says 2,000 and then it says Ingri, I-N-G-R-I. You see
21 that?

22 A. Yes.

23 Q. Ingri. You see Ingrid Mercado on Government's Exhibit 26?

24 A. Yes.

09:22:11AM 25 Q. Can you touch her photograph for us? You touched the

1 bottom row second from the left; is that right?

2 A. Yes.

3 Q. Is she the woman you received the package from in the clip
4 we saw from January 20th?

09:22:26AM 5 A. Yes.

6 Q. All right, if you could clear your mark. Mr. Figueroa,
7 under the 2,000 it says Bacalao. Do you see that?

8 A. Yes.

9 Q. And then there's a word in Spanish A-D-E-L-A-N-T-A-O. Can
09:22:48AM 10 you tell us what that word is?

11 A. *Adelantao*, that's paid in advance.

12 Q. Pay in advance?

13 A. Yes.

14 Q. Paid in advance?

09:22:56AM 15 A. Yes.

16 Q. All right. And that's next to Bacalao?

17 A. Yes.

18 Q. And is there an individual who went by Bacalao shown on
19 Government's Exhibit 26?

09:23:06AM 20 A. Yes.

21 Q. And who is that? You pointed to the bottom row the
22 photograph furthest to the right?

23 A. Yes.

24 Q. What was his name?

09:23:19AM 25 A. Tito Bacalao.

1 Q. All right. If you can clear your mark. And then below
2 Tito, below Bacalao it says Kna; is that right?

3 A. Yes.

4 Q. And then there's that same Spanish word for paid in full;
09:23:40AM 5 is that correct? Next to that name?

6 A. In advance.

7 Q. I'm sorry, paid in advance. Okay. That's paid in advance
8 next to Kna; is that right?

9 A. Yes.

09:23:50AM 10 Q. Do you see Karina Lopez on Government's Exhibit 26?

11 A. Yes.

12 Q. Which photograph is hers? You pointed to the bottom row
13 of the photograph farthest on the left; is that right?

14 A. Yes.

09:24:07AM 15 Q. All right. And if we could pull up from Government's
16 Exhibit 494A, which is the cell phone extraction for 766-8057,
17 the defendant's personal phone. We'll go to contact No. 165
18 on page 14. Mr. Figueroa, what's the name of contact 165 on
19 the extraction that you have in front of you for Government's
09:24:54AM 20 494A?

21 A. Kna, Karina.

22 Q. Is that the same -- if we could put visualizer back up
23 here, is that the same spelling for -- on Government's Exhibit
24 693, the last entry under January 2nd?

09:25:15AM 25 **MR. VACCA:** Objection, Your Honor.

1 **THE COURT:** Overruled. You can answer the question.

2 **THE WITNESS:** Yes.

3 **BY MR. MARANGOLA:**

4 Q. All right. Then finally I'd like to show Government's
09:25:25AM 5 Exhibit 795, which reflects deliveries from Puerto Rico of
6 packages on January 2nd to 4 Ritz Street, as well as to 282
7 Rosedale Street.

8 Mr. Figueroa, I'd like to move you to January 22nd,
9 all right? A couple of days later. And show you pole camera
09:26:01AM 10 footage on that day from -- beginning at 1:40 p.m. in the
11 afternoon. This is off Government's Exhibit 22. Who just
12 entered that vehicle we saw at 292?

13 A. Leitscha.

14 Q. All right. And this is showing Leitscha leaving in her
09:26:49AM 15 vehicle from 292 Barrington at approximately 1:41 on January
16 22nd, 2018?

17 A. Yes.

18 Q. All right. If we could go to 1:47 that same day from the
19 820 East Main pole camera. All right. Do you recognize the
09:27:14AM 20 vehicle that pulled into the rear of 820 East Main
21 approximately six minutes later?

22 A. Yes.

23 Q. And whose vehicle is that?

24 A. That's Leitscha.

09:27:24AM 25 Q. All right. She pulled in facing forward; is that right?

1 A. Yes.

2 Q. Now, if we could fast forward to approximately 4 minutes
3 and 22 seconds into this clip. This is at 1:52 p.m.. What
4 are you seeing here?

09:27:51AM 5 A. Leitscha backing up the car.

6 **MR. VACCA:** Your Honor, I'd object to this. We saw
7 this same video last week with this witness.

8 **MR. MARANGOLA:** We did not see this -- this witness
9 did not see this.

09:28:07AM 10 **THE COURT:** Overruled.

11 **BY MR. MARANGOLA:**

12 Q. All right. What is she doing there, Mr. Figueroa?

13 A. She parking in the same spot, but backwards this time.

14 Q. All right. Now, at 5:27 into the clip as she's backing
09:28:29AM 15 into the space, do you see another vehicle enter the rear
16 parking lot at 820 East Main?

17 A. Yes.

18 Q. Whose vehicle is that?

19 A. That's my brother Javi's truck.

09:28:36AM 20 Q. Do you see where he pulled his vehicle in the parking lot
21 in relation to Leitscha's vehicle?

22 A. Yes, right next to Leitscha's car.

23 Q. What did you see happen right there at approximately 5:55
24 after your brother's vehicle pulled in?

09:28:57AM 25 A. They open up the door.

1 Q. What did you see there?

2 A. Obed step out of the truck walking out.

3 Q. He exited what door of the truck?

4 A. The passenger side my brother truck.

09:29:11AM 5 Q. That's the silver GMC?

6 A. Yes.

7 Q. Where do you see Obed going?

8 A. He going towards the building, East Main.

9 Q. All right. If we could fast forward to approximately 7:10
09:29:27AM 10 in the clip. What do you see here, Mr. Figueroa?

11 A. I see Leitscha walking towards my brother's GMC.

12 Q. She walked around the rear of your brother's GMC?

13 A. Yes, she got in.

14 Q. She got in the same door that Obed just got out of?

09:29:55AM 15 A. Yes.

16 Q. We can stop it there and go to the next clip at 2:01 at
17 East Main, a few minutes later.

18 A. See two people went towards the car.

19 Q. Went toward what vehicle?

09:30:25AM 20 A. My brother GMC.

21 Q. What's happening now?

22 A. They open the door.

23 Q. Does the door still appear to be open on the front
24 passenger side of the GMC?

09:30:58AM 25 A. Yes.

1 Q. What do you see now?

2 A. I see Lei walking out.

3 Q. Lei exited that silver GMC?

4 A. Yeah, with a bag in her hand.

09:31:07AM 5 Q. What's happening now?

6 A. My brother's backing up the truck.

7 Q. Did the other male enter the front or one of the passenger
8 doors --

9 A. Yes.

09:31:15AM 10 Q. -- of the GMC?

11 A. Yes.

12 Q. Where is your brother going now?

13 **MR. VACCA:** Objection, Your Honor.

14 **THE COURT:** Overruled.

09:31:23AM 15 **THE WITNESS:** I don't know. He's leaving.

16 **BY MR. MARANGOLA:**

17 Q. He's leaving the parking lot at 820?

18 A. Yes.

19 Q. Could you identify, other than Obed, the two other males
09:31:33AM 20 in that clip, Mr. Figueroa?

21 A. No.

22 Q. Now, if we could look at -- if we could pause that,
23 please. On Government's Exhibit 795, that same day January
24 22nd, the film we were looking at, it shows three deliveries
09:31:56AM 25 from Puerto Rico on that date. Do you see that?

1 A. Yes.

2 Q. Now, can you tell us, Mr. Figueroa, what was done with the
3 boxes that contained the kilos and the -- the kilos and the
4 candy after the kilos were removed from the boxes?

09:32:21AM 5 **MR. VACCA:** Objection, Your Honor.

6 **THE COURT:** Overruled. Go ahead.

7 **THE WITNESS:** After the kilos was removed from the
8 small boxes of the Skittles or the M&M, some of them was kept
9 in Barrington in the closet, some of the candy was kept in the
09:32:36AM 10 basement with the boxes, some of the box was taken to my
11 brother house at 6 Burbank and he disposed of the plastic
12 stuff, and some of the boxes he burn them in the back yard.

13 **BY MR. MARANGOLA:**

14 Q. What else happened with the candy?

09:32:48AM 15 A. With the candy Nisharya, his wife, is trying to sell it
16 because it was a lot of candy. She was trying to get rid of
17 it.

18 Q. So where would the candy go after it was opened up --
19 after the boxes were opened at Barrington?

09:33:00AM 20 **MR. VACCA:** Objection, Your Honor.

21 **THE COURT:** Overruled. If he knows.

22 **THE WITNESS:** Some of it was in the basement, some
23 of it was in his house on his porch; he got inside porch.

24 **BY MR. MARANGOLA:**

09:33:10AM 25 Q. When you say his house and on his porch, whose house are

1 you talking about?

2 A. My brother Javi, 6 Burbank.

3 Q. All right. At this time I'd like to show you pole camera
4 footage from this same day, January 22 from 8:17 p.m. at

09:33:30AM 5 Barrington. Can you tell us what we're looking at here?

6 A. Yes.

7 Q. What's happening here?

8 A. Taking up a box to my brother GMC.

9 Q. Can you tell who is bringing the box from Barrington to
09:34:12AM 10 the GMC?

11 A. Look like my brother.

12 Q. Did you see the lights of the GMC on right now?

13 A. Yes.

14 Q. All right. And we've fast forwarded a little bit. You see
09:34:50AM 15 the two individuals return to 292?

16 A. Yes.

17 Q. All right. And if we can show the next clip on this same
18 day at approximately 8:19 p.m. on again January 22nd, 2018 at
19 292 Barrington. Can you tell us what we're seeing here?

09:35:17AM 20 A. Yes.

21 Q. What are we seeing?

22 A. Carrying a box in my brother's truck.

23 Q. Could you tell us who was carrying the box to your
24 brother's truck?

09:35:33AM 25 A. I can't really -- that was me.

1 Q. All right. You could tell it was you after you're walking
2 back to the house in that clip?

3 A. Yes.

4 Q. That's two boxes we've seen go out to your brother's
09:35:52AM 5 truck?

6 A. Yes.

7 Q. What are we seeing here?

8 A. Me carrying boxes to my brother's truck.

9 Q. A third box going out to your brother's truck?

09:36:07AM 10 **THE COURT:** What time is this?

11 **MR. MARANGOLA:** This is at 8:21 p.m., the clip is
12 at approximately 1:20.

13 **THE COURT:** Thank you.

14 **BY MR. MARANGOLA:**

09:36:16AM 15 Q. And, Mr. Figueroa, who do you see returning back to 292
16 Barrington?

17 A. That's me.

18 Q. All right. Okay. If we can go to the next day here --
19 and, Mr. Figueroa, I'd like you to -- I think your binder has
09:36:36AM 20 already been flipped open to tab 124. Are you at tab 124?

21 A. Yes.

22 Q. All right. I'd like you to look at tab -- the transcripts
23 behind tab 124 and 125. Are your initials on those
24 transcripts?

09:37:14AM 25 A. Yes.

1 Q. Did you listen to the calls that correspond to each of
2 those transcripts?

3 A. Yes.

4 Q. Who are the voices in the first call, the participants in
09:37:24AM 5 the first call?

6 **MR. VACCA:** Objection, Your Honor.

7 **THE COURT:** Overruled.

8 **BY MR. MARANGOLA:**

9 Q. That means you can answer.

09:37:33AM 10 A. That's my brother Javi and Obed.

11 Q. Who are the participants in the second call?

12 A. My brother Javi, Bombillo and Obed.

13 Q. All right.

14 **MR. MARANGOLA:** At this time, I'd offer the calls
09:37:50AM 15 corresponding to Government's 124 and 125.

16 **MR. VACCA:** I would object to that, Your Honor.

17 **THE COURT:** Overruled as to 124. That will be
18 received.

19 125 there's another individual, has he previously
09:38:07AM 20 been identified? I don't recall.

21 **BY MR. MARANGOLA:**

22 Q. Mr. Figueroa, the individual you identified as Bombillo,
23 can you tell us who is Bombillo?

24 A. Yes, that's one of my brother's worker.

09:38:21AM 25 Q. One of your brother's workers?

1 A. Yes.

2 Q. Are you familiar with his voice?

3 A. Yes.

4 Q. Have you seen him speak in person before?

09:38:28AM 5 A. Yes.

6 Q. Was that on multiple occasions prior to January of 2018?

7 A. Yes.

8 **MR. MARANGOLA:** Your Honor, just for the Court's
9 information, we're actually not -- I'm going to stop the call
09:38:38AM 10 before we even get to the part for Bombillo.

11 **THE COURT:** Okay. With that understanding, the
12 objection is overruled as to 125. It will be received.

13 (**WHEREUPON**, Government's Exhibit 1-124 and 1-125
14 were received into evidence).

09:38:56AM 15 **BY MR. MARANGOLA:**

16 Q. Both of these calls, Mr. Figueroa, are between your
17 brother Javi to -- I'm sorry, Javi's 8156 *maraca* and Obed's
18 4520, his *maraca*; is that right?

19 A. Yes.

09:39:10AM 20 Q. All right. If we could play the call corresponding to tab
21 1-124. Mr. Figueroa, based on your participation in this
22 operation and your familiarity with the relationship between
23 Javi and Obed as a member of this operation, can you tell us
24 do you have an opinion regarding what Obed was calling and
09:41:57AM 25 asking Javi when he said that an individual asked if he could

1 do these in G, and I told him I don't know, I have to ask
2 first?

3 A. It's a regular guy that buy some dope from Burbank --

4 **MR. VACCA:** Objection, Your Honor.

09:42:18AM 5 **THE COURT:** Overruled. Go ahead.

6 **THE WITNESS:** A regular guy that buy some dope from
7 Burbank and he was telling Obed he want -- instead of buying
8 bundles, he want to buy some grams. And Obed told him he got
9 to ask my brother first.

09:42:29AM 10 **BY MR. MARANGOLA:**

11 Q. All right. If we could go to the next call, which is the
12 same day approximately three minutes later, this is an
13 incoming call to your brother's *maraca*. If we can play this
14 one. I'll only play up to here, which is 1:19 in the
09:44:14AM 15 recording.

16 Mr. Figueroa, in the beginning of the call Obed
17 tells your brother I told him 115 for the G. Based on your
18 participation in this conspiracy and familiarity with the
19 relationship between Javi and Obed, do you have an opinion as
09:44:32AM 20 to what Obed was saying to your brother, what he meant when he
21 said I told him 115 for the G?

22 **MR. VACCA:** Objection, Your Honor, insufficient
23 foundation to render an opinion.

24 **THE COURT:** Overruled.

09:44:45AM 25 **THE WITNESS:** Yes.

1 **BY MR. MARANGOLA:**

2 Q. What is that?

3 A. That he told the guy he gonna charge him \$115 for the
4 gram.

09:44:51AM 5 Q. Of what?

6 A. Of heroin.

7 Q. Now, when Obed tells your brother -- your brother asks how
8 many does he want, and Obed said 5 Bs per day every day, he
9 always takes 5 B, do you have an opinion as to what the
09:45:10AM 10 meaning of that term 5 B is?

11 **MR. VACCA:** Objection, Your Honor, insufficient
12 foundation to render an opinion.

13 **THE COURT:** Overruled.

14 **THE WITNESS:** Yes.

09:45:18AM 15 **BY MR. MARANGOLA:**

16 Q. What is that?

17 A. That he buy 5 bundles a day from Burbank.

18 Q. How many bags is 5 bundles of heroin?

19 A. 50 bags.

09:45:43AM 20 Q. All right. Let's go to the next call 126, 1-126.

21 Mr. Figueroa, have you heard Javi, Obed or other members of
22 the operation use the word or the term one and one in
23 connection with drug selling?

24 **MR. VACCA:** Objection, Your Honor, too broad.

09:46:11AM 25 **THE COURT:** Overruled. Go ahead.

1 **THE WITNESS:** Yes.

2 **BY MR. MARANGOLA:**

3 Q. And during the course of your participation in this
4 conspiracy, when you heard such individuals use the term one
09:46:23AM 5 and one, what did it refer to?

6 A. That means one bag of dope and one bag of coke, \$5 bag
7 each.

8 Q. When you say one bag of dope, what's -- what are you
9 referring to when you say dope?

09:46:37AM 10 A. Heroin.

11 Q. So one and one means one bag of heroin --

12 A. And one bag of coke.

13 Q. And how much would those bags be sold for?

14 A. \$5.

09:46:47AM 15 **MR. VACCA:** Objection, Your Honor.

16 **THE COURT:** Overruled.

17 **THE WITNESS:** \$5 bags.

18 **BY MR. MARANGOLA:**

19 Q. Okay. So this isn't like one 62 of cocaine? It's one \$5
09:46:58AM 20 bag?

21 A. Yeah, one \$5 bag, one and one.

22 Q. Are your initials behind the transcript behind tab 1-126?

23 A. Yes.

24 Q. And did you listen to the call corresponding to this
09:47:07AM 25 transcript?

1 A. Yes.

2 Q. Who are the participants in this call?

3 **MR. VACCA:** Objection, Your Honor.

4 **THE COURT:** Overruled.

09:47:14AM 5 **THE WITNESS:** That's my brother Javi and Obed.

6 **BY MR. MARANGOLA:**

7 Q. All right.

8 **MR. MARANGOLA:** At this time I'd offer the call
9 corresponding to tab 1-126.

09:47:39AM 10 **THE COURT:** Mr. Vacca.

11 **MR. VACCA:** I would object to that, Your Honor.

12 **THE COURT:** Overruled. 1-126 will be received.

13 (**WHEREUPON**, Government's Exhibit 1-126 was received
14 into evidence).

09:47:46AM 15 **BY MR. MARANGOLA:**

16 Q. Before we play this call, which is at 12:39 and change,
17 I'd like to play the pole camera clip from that same day
18 January 23rd at 12:36 p.m. from the Burbank pole camera.

19 Mr. Figueroa, what are we seeing here at 12:36 p.m.
09:48:16AM 20 on January 23rd, 2018?

21 A. A guy arrives on Burbank on a bicycle.

22 Q. In front of your brother's house?

23 A. Yes.

24 Q. What do you see in your brother's driveway and the
09:48:40AM 25 sidewalk?

1 A. Some garbage cans.

2 Q. What's the guy that drove up on the bike doing now?

3 A. He pushing the garbage can inside the driveway.

4 Q. There's three garbage cans; is that right?

09:49:12AM 5 A. Yes.

6 Q. All right. If we can watch this and fast forward as we
7 watch a little bit. Can you describe what he's doing with
8 those trash cans?

9 A. He pushing them right next to the house on the driveway.

09:49:25AM 10 Q. He walked them up the driveway; is that right?

11 A. Yes.

12 Q. All right. Now, here at 2:11 or so if we can pause it --
13 now, all three of the trash cans have been walked up the
14 driveway and are out of sight; is that right?

09:49:45AM 15 A. Yes.

16 Q. And the bike is still there?

17 A. Yes.

18 Q. Can we fast forward now to 3:06 in the clip. And what are
19 we seeing here?

09:50:07AM 20 A. The guy walking out of the driveway.

21 Q. All right. What does the guy appear to be doing at the end
22 of this clip here?

23 A. Riding his bike up Burbank.

24 Q. This is at 12:39:44; is that right?

09:50:26AM 25 A. Yes.

1 Q. All right. If we could now play the call corresponding to
2 1-126, which is at 12:39:59. Mr. Figueroa, in the beginning
3 of this call your brother calls Obed and he says I sent a guy
4 there to you, you're going to give him \$10 and then later says
09:53:01AM 5 it is one and one.

6 Based on your participation in this conspiracy and
7 your familiarity with the relationship between Javi and Obed,
8 can you tell us do you have an opinion regarding the meaning
9 of the phrase one and one in this call?

09:53:16AM 10 A. Yes.

11 MR. VACCA: Objection, Your Honor.

12 THE COURT: Overruled.

13 MR. VACCA: Insufficient foundation.

14 THE COURT: Overruled. Go ahead.

09:53:22AM 15 THE WITNESS: Yes.

16 BY MR. MARANGOLA:

17 Q. What was Javi telling your brother there?

18 A. Gave him \$10, with one and one, one bag of heroin and one
19 bag of cocaine.

09:53:31AM 20 Q. Does your brother explain the reason he wants Obed to give
21 him a \$5 bag of heroin and a \$5 bag of cocaine?

22 A. Yes.

23 Q. What's the explanation he gives Obed?

24 A. He said a young guy did his garbage can so he send him to
09:53:44AM 25 him to the house to give him \$10.

1 Q. When Javi said he sent a guy there to you, where did
2 Javi -- based on your participation in this conspiracy, where
3 is Javi sending the person to?

4 A. To the house where they sell the drugs from on Burbank.

09:54:05AM 5 Q. All right. Later in the call Obed says look, bro, we just
6 bought a 22-year-old. And Javi replies oh, that's good.

7 Based on your participation in this conspiracy as
8 well as your familiarity with the relationship between Javi
9 and Obed, do you have an opinion regarding the meaning of the
09:54:26AM 10 term 22-year-old in this call?

11 A. Yes.

12 Q. What is that?

13 MR. VACCA: Objection, Your Honor, insufficient
14 foundation to render an opinion.

09:54:33AM 15 THE COURT: Overruled. You can answer.

16 THE WITNESS: That's a .22 revolver.

17 BY MR. MARANGOLA:

18 Q. All right. And why do you believe it's a .22 revolver?

19 MR. VACCA: Objection, Your Honor.

09:54:48AM 20 THE COURT: Overruled. You can answer.

21 THE WITNESS: Because in the phone call Obed saying
22 .22 revolver and he referred to it as the apple, that's the
23 cylinder. It's not a pistol.

24 BY MR. MARANGOLA:

09:55:00AM 25 Q. When Obed said it's the one that doesn't eject the shells,

1 it doesn't eject them, the apple, what did you understand that
2 to mean?

3 A. That it's a revolver. It's not a pistol.

4 Q. And if we could pull up Government's Exhibit 826? I'm

09:55:18AM 5 sorry, 829. Yeah, 829. Do you see the firearm shown in
6 Government's Exhibit 829?

7 A. Yes.

8 Q. First of all, do you recognize that firearm?

9 A. Yes.

09:55:51AM 10 Q. Where do you recognize that firearm from?

11 A. From 292 Barrington.

12 Q. And where had you seen that firearm at 292 Barrington?

13 A. In my dresser.

14 Q. Do you see anything on Government's Exhibit 29 -- 829 that

09:56:09AM 15 looks like the item Obed was describing to Javi when he said
16 it doesn't eject the shells and then he said the apple?

17 A. Yes.

18 Q. Can you circle the area on Government's 829 that you
19 believe Obed was referring to when he said the apple? All

09:56:30AM 20 right, for the record you've circled the cylinder on the
21 firearm above -- just slightly above the center in this
22 photograph; is that correct?

23 A. Yes.

24 Q. Now, what caliber handgun are we looking at here in

09:56:43AM 25 Government's 829?

1 **MR. VACCA:** Objection, Your Honor, unqualified to
2 render that opinion.

3 **THE COURT:** Overruled. Go ahead.

4 **THE WITNESS:** It's a .44.

09:56:51AM 5 **BY MR. MARANGOLA:**

6 Q. How do you know it's a .44?

7 A. Because I looked at it, it was in my dresser, got a number
8 on it.

9 Q. It's got the number on it?

09:56:58AM 10 A. Yes.

11 Q. And you saw it with your own eyes?

12 A. Yes.

13 Q. All right. Can we also show you Government's Exhibit 826.

14 If you could clear your mark, please. Do you recognize the
09:57:27AM 15 firearm shown in Government's 826?

16 A. Yes.

17 Q. And what do you recognize that firearm to be?

18 A. The one that was in my dresser.

19 Q. I'm sorry, the what?

09:57:38AM 20 A. That was in my dresser.

21 Q. The one that was in your dresser?

22 A. Yeah, at 292 Barrington in my room.

23 Q. And what caliber pistol is the firearm shown in
24 Government's 826?

09:57:51AM 25 A. It's a .40 caliber.

1 Q. How do you know it's a .40 caliber?

2 A. Got the number on it.

3 Q. And --

4 A. I looked at it.

09:57:58AM 5 Q. -- and you see the long thin item to the right of the
6 handgun in this photograph?

7 A. Yes.

8 Q. What is that?

9 A. That's the clip.

09:58:06AM 10 Q. And what's held in the clip?

11 A. The bullets.

12 Q. All right. Now, the firearm in this photo 826 and the
13 other one 829 we just looked at, you possessed those at 292
14 Barrington?

09:58:21AM 15 A. Yes.

16 Q. And what was the reason those firearms were at 292
17 Barrington?

18 A. To protect ourself, protect the drugs and my brother's
19 money.

09:58:32AM 20 Q. All right. Did you look at the two firearms we've just
21 shown in 826 and 829 while they were at 292 Barrington?

22 A. Yes.

23 Q. Did you check to see if they were loaded?

24 A. Yes.

09:58:43AM 25 Q. And were they, in fact, loaded?

1 A. Yes.

2 Q. All right. How did you check 826 here to make sure it was
3 loaded?

4 A. You press the button, the clips come out.

09:58:56AM 5 Q. And you just pulled your hand down. The clip comes out of
6 the --

7 A. Yes.

8 Q. -- the bottom of the handle?

9 A. Yes.

09:59:01AM 10 Q. And then how can you tell if there's bullets in it?

11 A. You can look at it and see the bullets -- when you pull
12 out the clip and you see bullets in the clip.

13 Q. At the top of the clip?

14 A. Yes.

09:59:13AM 15 Q. All right. And you can see a bullet sticking out of the
16 top of the clip here in Government's 826; is that right?

17 A. Yeah.

18 Q. Okay. All right. If we could go to call 1-127 as well as
19 1-128. I'd like you to take a look at those, Mr. Figueroa,

09:59:37AM 20 and tell us if your initials are on those transcripts?

21 A. Yes.

22 Q. Did you listen to the calls corresponding to each of these
23 transcripts?

24 A. 127. And what's the other one?

10:00:01AM 25 Q. 128.

1 A. Yes.

2 Q. And did you recognize the voices in these two calls 1-127
3 and 1-128?

4 A. Yes.

10:00:20AM 5 Q. All right. Did you listen to the calls corresponding to
6 each of these transcripts?

7 A. Yes.

8 Q. Who are the participants in each of these calls?

9 **MR. VACCA:** Objection, Your Honor.

10:00:29AM 10 **THE COURT:** Overruled. You can answer.

11 **THE WITNESS:** My brother Javi and Obed.

12 **MR. MARANGOLA:** At this time I'd offer the calls
13 corresponding to 1-127 and 1-128.

14 **MR. VACCA:** I would object to that, Your Honor, on
10:00:43AM 15 grounds of relevancy and lack of foundation.

16 **THE COURT:** Overruled. Exhibits 1-127 and 1-128
17 will be received.

18 (**WHEREUPON**, Government's Exhibit 1-127 and 1-128
19 were received into evidence).

10:00:56AM 20 **BY MR. MARANGOLA:**

21 Q. Before we play the first call, which is at 2:43:25 p.m.,
22 it's an incoming call to Javi's *maraca*, the 8156 number from
23 Obed; is that right?

24 A. Yes.

10:01:20AM 25 Q. All right. Before we play that call I'd like to play the

1 pole camera clip from that same date and same time from
2 Burbank. This is from Government's Exhibit 22. What are we
3 seeing here? And the time on the pole camera is 2:43:20 and
4 change.

10:01:48AM 5 A. My brother driving to his house 6 Burbank, driveway of his
6 house.

7 Q. If we can pause it now. And if we could play the call
8 corresponding to tab 1-127 which is at 2:43:25.

9 Mr. Figueroa, who is Flamingo?

10:03:33AM 10 A. That's Jashua.

11 Q. That's a nickname for Jashua?

12 A. Yes.

13 Q. All right. And in the call your brother says he's gonna
14 go get him now; is that right?

10:03:44AM 15 A. Yes.

16 Q. There are two references -- Obed says tell your brother
17 twice please flash the lights. Can you tell us have you heard
18 that expression being used by Javi or Obed or other members of
19 the conspiracy?

10:04:00AM 20 A. Yes.

21 Q. In what context?

22 A. In Puerto Rico in the projects when people sell drugs,
23 these people that run the blocks over there, you flash the
24 lights at nighttime so they don't shoot you, they know you
10:04:15AM 25 from there. So he referring to that as a joke, flash the

1 lights, because -- because he gonna go by the house he sell
2 drug from because he's in the same block my brother is.
3 That's why he made that joke, when you go by flash the lights.

4 Q. So Obed is at a house on Burbank as Javi's passing it to
5 get to his own house?

6 **MR. VACCA:** Objection, Your Honor.

7 **THE COURT:** Overruled. Go ahead.

8 **THE WITNESS:** Yes.

9 **BY MR. MARANGOLA:**

10 Q. And then if we could go to the pole camera clip a couple
11 minutes later at 2:47 p.m. that same day at Burbank. What are
12 we seeing here, Mr. Figueroa?

13 A. My brother is leaving his house.

14 Q. And that's at approximately 2:48 p.m.?

15 A. Yes.

16 Q. All right. If we can now play the call corresponding to
17 1-128, which is at 2:52 p.m., approximately four minutes
18 later, and this call is an outgoing call from the 8156 *maraca*
19 of your brother to Obed's 4520; is that right?

20 A. Yes.

21 Q. All right. If we could play it. Mr. Figueroa, based on
22 your participation in this conspiracy and your knowledge and
23 familiarity with the relationship between Javi and Obed, do
24 you have an opinion regarding the meaning of the term bad
25 cowboys that's used by your brother in this car -- in this

1 call?

2 A. Yes.

3 Q. And what is that?

4 **MR. VACCA:** Objection, Your Honor.

10:06:41AM 5 **THE COURT:** Overruled.

6 **THE WITNESS:** He referring to -- about the police.

7 **BY MR. MARANGOLA:**

8 Q. All right. And when your brother says three cars are

9 posted, there of the bad cowboys, Obed's response is I'll

10:06:56AM 10 close, don't worry, do you have an opinion regarding the term

11 I'll close?

12 A. Yes.

13 Q. What is that?

14 **MR. VACCA:** Objection, Your Honor.

10:07:06AM 15 **THE COURT:** Overruled.

16 **THE WITNESS:** That he gonna close the house where he

17 selling the drugs from, he gonna stop serving people until

18 everything get clear.

19 **BY MR. MARANGOLA:**

10:07:14AM 20 Q. All right. When Javi says yes, that's why, eyes open,

21 have you heard your brother Javi use that expression before?

22 A. Yes.

23 Q. And meaning what?

24 A. Be alert, don't get caught.

10:07:26AM 25 Q. Don't get caught by who?

1 A. By the police.

2 Q. All right. And if we can now play the pole camera for
3 five minutes after this call at 2:57 p.m. at 820 East Main.

4 This one, Your Honor, we're playing off

10:08:02AM 5 Government's Exhibit 20, the pole camera hard drive for East
6 Main.

7 Who do you see pulling into the rear parking lot of
8 820 East Main approximately 30 seconds into this clip?

9 A. My brother Javi.

10:08:46AM 10 Q. All right. If we can now fast forward to approximately 4
11 minutes and 45 seconds into this clip. This is at 3:01 p.m.

12 What are we looking at here, Mr. Figueroa?

13 A. Jashua get into his truck.

14 Q. Jashua coming from where?

10:09:32AM 15 A. Obed's apartment building East Main.

16 Q. And getting into the passenger side of whose truck?

17 A. My brother Javi's truck.

18 Q. And what's your brother do after Jashua gets in the truck?

19 A. He backing up the truck.

10:09:45AM 20 Q. And that's the person you testified a few minutes ago is
21 referred to as Flamingo sometimes?

22 A. Yes.

23 Q. All right. If we could now go to tab 130? I'm sorry
24 1-130. Are your initials on that transcript?

10:10:16AM 25 A. Yes.

1 Q. Did you listen to the call corresponding to that
2 transcript?

3 A. Yes.

4 Q. Who are the participants in this call?

10:10:22AM 5 A. My brother Javi and Obed.

6 Q. And this call is on the same date of the video we just saw
7 January 23rd; is that right?

8 A. Yes.

9 Q. And it's an outgoing call from your brother's 8156 *maraca*
10 to Obed's 4520 number; is that right?

11 A. Yes.

12 **MR. MARANGOLA:** At this time I would offer call
13 corresponding to tab 1-130.

14 **MR. VACCA:** Objection, Your Honor.

10:10:48AM 15 **THE COURT:** Overruled. Exhibit 1-130 will be
16 received.

17 (**WHEREUPON**, Government's Exhibit 1-130 was received
18 into evidence).

19 **BY MR. MARANGOLA:**

10:12:16AM 20 Q. Mr. Figueroa, in this call your brother asks Obed where
21 the four little marks are a couple of times in this call?

22 A. Yes.

23 Q. Is that right?

24 A. Yes.

10:12:30AM 25 Q. And at one point Obed says the *flaca* has them because she

1 took them yesterday?

2 A. Yes.

3 Q. Is that right?

4 A. Yes.

10:12:40AM 5 Q. And the *flaca* is who?

6 A. Leitscha.

7 Q. And then the end of the first page, Obed -- where does
8 Obed tell Javi that the four little marks are?

9 A. In the book bag, the book bag, Frozen book bag.

10:12:59AM 10 Q. In the Frozen book bag?

11 A. Yes.

12 Q. And after Obed tells Javi that the four little marks are
13 in the Frozen book bag, what's Javi's answer?

14 A. The four.

10:13:11AM 15 Q. No. After Obed says the Frozen book bag, tells Javi the
16 Frozen book bag, what does Javi reply?

17 A. He says okay.

18 Q. And then Obed says the four of them are here, did you
19 hear, and what does Javi reply?

10:13:25AM 20 A. Okay, all right.

21 Q. All right.

22 **MR. MARANGOLA:** Your Honor, if I could approach the
23 witness with Government's Exhibit 731 I believe this is?

24 **THE COURT:** Yes.

10:13:52AM 25 **BY MR. MARANGOLA:**

1 Q. I'd like to hand you that backpack. I'd ask you to open
2 it up and tell us if you've seen any of the contents of
3 Government's Exhibit 731 before.

4 A. Yes.

10:14:54AM 5 Q. Have you seen some of the contents in that bag before?

6 A. Yes.

7 Q. Do you recognize them?

8 A. Yes.

9 Q. What are the contents of that bag that you recognize?

10:15:02AM 10 A. That's the stuff we use to bag up the coke, the small
11 strainers, the baggies that we bag it up, and the little
12 spoons.

13 Q. All right.

14 A. And the empty bags they put the dope -- coke in.

10:15:16AM 15 Q. Are you familiar with the movie that the characters on
16 that bag are from?

17 A. Yes.

18 Q. What's the name of the movie?

19 A. From Frozen movie.

10:15:25AM 20 Q. All right. If I can take Government's 731 from you.

21 Mr. Figueroa, would you flip to the next tab 1-131?

22 Are your initials on this transcript?

23 A. Yes.

24 Q. Did you listen to the call corresponding to this

10:16:01AM 25 transcript?

1 A. Yes.

2 Q. Who are the speakers in this call?

3 A. My brother Javi and Obed.

4 Q. All right.

10:16:09AM 5 **MR. MARANGOLA:** At this time I'd offer the call
6 corresponding to 1-131.

7 **MR. VACCA:** Objection, Your Honor.

8 **THE COURT:** Overruled. Exhibit 1-131 will be
9 received.

10:16:17AM 10 (**WHEREUPON**, Government's Exhibit 1-131 was received
11 into evidence).

12 **BY MR. MARANGOLA:**

13 Q. And, Mr. Figueroa, this call is approximately one hour
14 after the call we previously heard where Obed told Javi that
10:16:33AM 15 the items were in the Frozen book bag; is that right?

16 A. Yes.

17 Q. All right. If we could play this call. Mr. Figueroa, I'd
18 like you to flip to tab 1-134, and take a look at that
19 transcript, as well as 1-135, the one right after it. Can you
10:19:05AM 20 tell us are your initials on both of those transcripts?

21 A. Yes.

22 Q. Both 1-135 -- I'm sorry, 1-134 and 1-135?

23 A. Yes.

24 Q. All right. Did you listen to the calls corresponding to
10:19:34AM 25 both of those transcripts?

1 A. Yes.

2 Q. And with respect to 1-134, who are the participants in
3 that call?

4 A. My brother Javi and Obed.

10:19:45AM 5 Q. And with respect to the participants in the 1-135 call?

6 A. That's my brother Javi, Obed and *vampiro*.

7 Q. And who is *vampiro*?

8 A. That's one of the guys used to sell crack for my brother.

9 Q. Did he go by any other nicknames?

10:20:07AM 10 A. Barba.

11 Q. B-A-R-B-A?

12 A. Yes.

13 Q. You said he used to sell crack for your brother?

14 A. Yes.

10:20:12AM 15 Q. Why did they call him *vampiro*?

16 A. That was a nickname that he had, teeth, *vampiro*, *diente*.

17 Q. *Diente*?

18 A. Yeah, *diente*.

19 Q. Was that the word that we saw in Government's 693 the
10:20:26AM 20 ledger?

21 A. Yes.

22 Q. All right. And had you spoken to *vampiro* or Barba before
23 this call on January 2018?

24 A. Yes.

10:20:36AM 25 Q. And had you seen him speak in person on multiple occasions

1 before January 23rd, 2018?

2 A. Yes.

3 Q. So you're familiar with his voice as well?

4 A. Yes.

10:20:46AM 5 Q. All right.

6 **MR. MARANGOLA:** At this time I'd offer the call
7 corresponding to 1-134 and 1-135.

8 And, Judge, with respect to 135, we're actually
9 only going to play the first minute and 37 seconds or so,
10:21:04AM 10 which will actually only go from the bottom of the first page.
11 We wouldn't even get into the -- there's actually three more
12 pages of it -- we're not going to play the whole thing. We
13 won't get to the part with *vampiro*. I wanted to let the Court
14 know.

10:21:19AM 15 **MR. VACCA:** I would object to that, Your Honor.

16 **THE COURT:** Okay. Overruled. 1-134 and 1-135 will
17 be received.

18 (**WHEREUPON**, Government's Exhibit 1-134 and 1-135
19 were received into evidence).

10:21:30AM 20 **BY MR. MARANGOLA:**

21 Q. If we can play the call 1-134, which is the next day
22 January 24th, 2018, an outgoing call from Javi's *maraca* at
23 8156 to Obed's 4520 phone.

24 Mr. Figueroa, based on your participation in this
10:22:39AM 25 operation and your familiarity with the relationship between

1 Javi and Obed, can you tell us do you have an opinion
2 regarding the meaning of the terms two old ladies and a
3 complete one used in this call?

4 A. Yes.

10:22:55AM 5 Q. And can you tell us what that opinion is?

6 **MR. VACCA:** Objection, Your Honor.

7 **THE COURT:** Overruled.

8 **BY MR. MARANGOLA:**

9 Q. You can answer.

10:23:04AM 10 A. Obed telling my brother that he gonna need two 62s and a
11 kilo for later on.

12 Q. Now, your brother asks but with the old ladies at what
13 time, what do you understand your brother to be asking when he
14 asks that?

10:23:27AM 15 A. When he gonna need the two 62s.

16 Q. When who is gonna need the two 62s?

17 A. Obed. At what time.

18 Q. So we're clear, the 62s and the kilo are of what drug?

19 A. Cocaine.

10:23:38AM 20 Q. Now, toward the end of the call your brother says, oh,
21 well, it is okay, give me a break to go get the old lady.

22 What's the -- do you see -- do you use that term
23 give me a break in talking to your brother and Obed and others
24 involved in this conspiracy?

10:23:57AM 25 A. Yes.

1 Q. Can you explain to the jury what that term means?

2 A. Give me some time.

3 Q. Okay. After your brother asked Obed at what time he
4 needed the old ladies, Obed's answer was now I think; is that
10:24:18AM 5 right?

6 A. Yes.

7 Q. All right. If we could go to the next call 1-135, which is
8 approximately 50 minutes later, and this is an incoming call
9 from Obed's 4520 to Javi's 8156 *maraca*.

10:26:21AM 10 Mr. Figueroa, based on your participation in this
11 conspiracy and your familiarity with the relationship between
12 Javi and Obed, do you have an opinion regarding the meaning of
13 this call from Obed to Javi?

14 A. Yes.

10:26:36AM 15 Q. Can you tell us what that is?

16 MR. VACCA: Objection, Your Honor.

17 THE COURT: Overruled.

18 THE WITNESS: That he telling my brother forget
19 about the two old ladies because he gave the guy the number
10:26:48AM 20 and the guy don't want it -- 21, 2100 -- and the guy don't
21 want it, he got it from somewhere else. But for the whole
22 kilo, yeah, because the guy -- what happened, the guy -- they
23 sent him a kilo, he only got four 62 left, and he -- right now
24 he want to buy the whole kilo from Obed.

10:27:09AM 25 BY MR. MARANGOLA:

1 Q. When you said -- when Obed said I told him the number 21,
2 what did you understand that to mean?

3 A. 2100.

4 Q. And what's 2100 a price for?

10:27:21AM 5 A. For a 62.

6 Q. Okay. At the end of the portion of the call here where we
7 stopped at about 1:36, Obed said I do not want to have them
8 all day for nothing, if I take something it's to get rid of it
9 fast, what did you understand Obed to mean?

10:27:41AM 10 A. That he don't want to keep the drugs too long. He want to
11 grab the 62s, he want to get rid of them quick, he don't want
12 to -- he want to get rid of them quick.

13 Q. When you say get rid of them quick, what do you mean?

14 A. Sell them quick.

10:27:54AM 15 Q. Now, you've described Obed's relationship with Javi and I
16 think you testified earlier that Obed had previously been
17 involved in selling on the street at LaForce and other
18 different places, including Burbank; is that right?

19 A. Yes.

10:28:12AM 20 Q. And you've also described him as a runner toward the end
21 of -- the end of the conspiracy, you described Obed as a
22 runner; is that right?

23 A. Yes.

24 Q. Now, in some of these calls we've seen Obed appears to be
10:28:31AM 25 negotiating the purchase of larger quantities of cocaine or

1 heroin; is that right?

2 A. Yes.

3 Q. Can you describe how his position in the operation changed
4 during the time that you were a member of it?

10:28:45AM 5 **MR. VACCA:** Objection, Your Honor, insufficient
6 foundation, relevancy.

7 **THE COURT:** Overruled. Go ahead. You can answer
8 that.

9 **THE WITNESS:** Yes. By him being -- my brother, and
10 my brother love him like a son, when he moved up from selling
11 from the houses to start selling from -- selling the block to
12 having his own customers or serving the customers, my brother
13 trust him, so he start selling 62s and kilos and also bagging
14 up some dope at East Main and working in the houses on
10:29:11AM 15 Burbank.

16 **BY MR. MARANGOLA:**

17 Q. All right. If we could go to the next call here at 1-136.
18 Are your initials on that transcript, Mr. Figueroa?

19 A. Yes.

10:29:30AM 20 Q. And did you listen to the call corresponding to that
21 transcript?

22 A. Yes.

23 Q. And who are the participants in this call?

24 A. My brother Javi and Obed.

10:29:39AM 25 Q. And this is an incoming call from Obed's 4520 to your

1 brother's 8156 number; is that right?

2 A. Yes.

3 Q. All right. And this is at 5:12 p.m. on January 24th; is
4 that correct?

10:29:55AM 5 A. Yes.

6 Q. All right.

7 **MR. MARANGOLA:** I'd offer the call corresponding to
8 tab 1-136.

9 **MR. VACCA:** Objection, Your Honor.

10:30:02AM 10 **THE COURT:** Overruled. 1-136 will be received.

11 (WHEREUPON, Government's Exhibit 1-136 was received
12 into evidence).

13 **BY MR. MARANGOLA:**

14 Q. Before we play this call I'd like to play pole camera
10:30:15AM 15 footage from Government's Exhibit 22 from that same day
16 January 24th at 4:12 p.m. at 292 Barrington. What are we
17 seeing here, Mr. Figueroa?

18 A. My brother arrive to Barrington.

19 Q. If we could fast forward to approximately 1:09 in the
10:31:02AM 20 clip. What are we seeing now, Mr. Figueroa?

21 A. My brother moving towards the house. He got out of the
22 truck.

23 Q. He got out of the truck and he's walking toward the house?

24 A. Yes.

10:31:20AM 25 Q. Did he appear to have something in his hand?

1 A. Yeah, like a small bag.

2 Q. All right. Now, if we can play call 1-136, which is
3 approximately one hour later. Mr. Figueroa, on the second
4 page of this call Obed tells Javi I'm going to deal with

10:35:18AM 5 Bombillo, but it's okay, but it is okay, and Javi says what I
6 am going to have to do is fire them from the job so they get
7 moving, then he says, buddy, I'm going to have to do that then
8 because if they are complaining about the job then I will fire
9 them from the job and I will find new employees -- other new
10 employees so they can get moving.

11 Based on your participation in this operation and
12 familiarity with your brother and Javi's and Obed's
13 relationship, do you have an opinion regarding the meaning of
14 that phrase?

10:35:48AM 15 A. Yes.

16 Q. Can you explain what that is to us?

17 **MR. VACCA:** Objection, Your Honor.

18 **THE COURT:** Overruled. Go ahead.

19 **THE WITNESS:** Yeah, he saying that they getting lazy
10:35:55AM 20 selling drugs and he getting mad. So they don't want to move
21 fast selling drugs, he gonna fire them, he gonna get some new
22 people to sell drugs for him.

23 **BY MR. MARANGOLA:**

24 Q. Now, in the beginning of that call your brother said so
10:36:11AM 25 there will not be anything stored in the bucket, and then

1 later he said the ones you are going to do now are the ones
2 that are going to be in the bucket.

3 Based on your participation and familiarity with
4 this conspiracy, do you have an opinion as to what your
10:36:26AM 5 brother was referring to in that portion of the call?

6 A. Yes.

7 **MR. VACCA:** Objection, Your Honor, insufficient
8 foundation.

9 **THE COURT:** Overruled. You can answer.

10:36:37AM 10 **THE WITNESS:** He telling him the 62 that he about to
11 do now, they gonna bag up a 62 into little packages, the
12 packages is gonna be --

13 **BY MR. MARANGOLA:**

14 Q. You can finish your answer.

10:36:52AM 15 A. The little packages is gonna be in the Home Depot bucket,
16 gonna be stored in there.

17 Q. All right.

18 **MR. MARANGOLA:** I'm not sure, Judge, if there's an
19 issue with the microphone or the interpreter over here.

10:37:11AM 20 **MR. VACCA:** He's asking me a question, Judge.

21 **THE COURT:** Okay. This might be a good time for a
22 break in any event. Ladies and gentlemen, at this time we're
23 going to take a recess. In the meantime, do not discuss the
24 matter or allow anybody to discuss the matter with you. Jury
10:37:22AM 25 may step down.

1 (WHEREUPON, there was a pause in the proceeding.)

2 MR. VACCA: Can we have a sidebar bar?

3 THE COURT: Sure, go right ahead. We don't need
4 headphones.

11:11:22AM 5 MR. VACCA: That's right. Judge, my client
6 indicated to me when we went on break that he feels that
7 there's a misinterpretation. Again, we went through this with
8 some of the translations from Spanish to English or English to
9 Spanish.

11:11:41AM 10 He gave me an example that the same word can be
11 used to describe a bucket and the same word could be used to
12 describe a hole, which -- with the bucket they're talking
13 about, the orange bucket here, the orange Home Depot bucket
14 where drugs were in, and he feels that this misinterpretation
11:12:01AM 15 is jeopardizing him because it's a definitive saying that,
16 yeah, it was in the orange bucket and that's where the drugs
17 were where it also could be interpreted as to a hole.

18 So I don't know what to do in terms of
19 clarification of that. He brought it to my attention, asked
11:12:19AM 20 me to bring it to the Court's attention and that's what I'm
21 doing.

22 THE COURT: Okay. I think it's fodder for
23 cross-examination. So you can ask the witness about that.

24 MR. VACCA: Right.

11:12:29AM 25 THE COURT: Thank you.

1 **MR. VACCA:** Thank you.

2 **THE COURT:** Bring the jury out and the witness.

3 (WHEREUPON, the jury is present).

4 **THE COURT:** You may proceed.

11:15:02AM 5 **MR. MARANGOLA:** Thank you, Your Honor.

6 **BY MR. MARANGOLA:**

7 Q. Mr. Figueroa, we had -- before the break we had just
8 listened to the call 1-136. Are you still on that?

9 A. Yes.

11:15:22AM 10 Q. All right. In that call your brother is talking to Obed
11 telling him the ones you are going to do now, the ones you are
12 going to do now to be in the bucket; is that right?

13 A. Yes.

14 Q. Now, what's the Spanish word for bucket?

11:15:51AM 15 A. Bucket, B-O-Q-U-E-T-E.

16 Q. And is there another translation for that word as well?

17 A. Yes, a hole, *boquete*.

18 Q. Okay. And based on your participation in this conspiracy
19 and your familiarity with the relationship between Javi and
11:16:09AM 20 Obed, what did you understand your brother Javi to be

21 referring to when he said the ones you are going to do now are
22 the ones that are going to be in the bucket?

23 **MR. VACCA:** Objection, Your Honor.

24 **THE COURT:** Overruled.

11:16:24AM 25 **THE WITNESS:** It's going to be in the stash -- in

1 the bucket where we put the 62s.

2 **BY MR. MARANGOLA:**

3 Q. All right.

4 A. The coke.

11:16:31AM 5 Q. I'd like to show you Government's Exhibit 594. Is that
6 where you believe your brother was referring to when he said
7 the ones that are going to be in the bucket?

8 **MR. VACCA:** Objection, Your Honor.

9 **THE COURT:** Overruled.

11:16:46AM 10 **THE WITNESS:** Yes.

11 **BY MR. MARANGOLA:**

12 Q. All right. Government's 595 if we could show you.

13 Mr. Figueroa, you previously testified regarding asthma

14 medicine that was mixed in with the cocaine; is that right?

11:17:15AM 15 A. Yes.

16 Q. And that was for cooking cocaine into what?

17 A. Crack.

18 Q. I believe you weren't sure what the name of it was. Do
19 you recall that?

11:17:25AM 20 A. Yes.

21 Q. Do you see what's in Government's 595 here?

22 A. Yes.

23 Q. What do you recognize in Government's 595?

24 A. That's Albuterol.

11:17:34AM 25 Q. Albuterol?

1 A. Yes.

2 Q. If we could go to 596. If we could -- we'll see if we can
3 blow up a portion of one of those bags. Do you see at the top
4 portion of the blue -- the top portion of this bag, it's dark
11:18:00AM 5 blue?

6 A. Yes.

7 Q. And can you read the top two words?

8 A. Albuterol.

9 Q. Then the word next to it is sulphate; is that right?

11:18:12AM 10 A. Yes.

11 Q. All right. What's inside these packages?

12 **MR. VACCA:** Objection, Your Honor.

13 **THE COURT:** Overruled.

14 **THE WITNESS:** It's a little plastic container like

11:18:23AM 15 water. He get two of them, he put them in the glass

16 container.

17 **BY MR. MARANGOLA:**

18 Q. Little containers with liquid in them?

19 A. Yes, they got liquid in them.

11:18:35AM 20 Q. Okay. All right. If we could go to tab 1-140. Tell us,

21 Mr. Figueroa, if your initials are on this transcript.

22 A. Yes.

23 Q. Did you listen to the call corresponding to this
24 transcript?

11:19:05AM 25 A. Yes.

1 Q. And who are the participants in this call?

2 A. Leitscha, Obed and my brother Javi.

3 Q. All right.

4 **MR. MARANGOLA:** At this time I'd offer call
11:19:14AM 5 corresponding to tab 1-140.

6 **MR. VACCA:** Objection, Your Honor.

7 **THE COURT:** Overruled. Exhibit 1-140 will be
8 received.

9 (WHEREUPON, Government's Exhibit 1-140 was received
11:19:29AM 10 into evidence).

11 **BY MR. MARANGOLA:**

12 Q. Mr. Figueroa, this call is at 8:26 p.m., which is
13 approximately three hours after the call we heard between Javi
14 and Obed regarding the ones in the bucket; is that right?

11:19:43AM 15 A. Yes.

16 Q. And the call corresponding to 1-140, as an incoming call
17 to Javi's *maraca*, the 8156; is that right?

18 A. Yes.

19 Q. All right. If we could play this call 1-140.

11:22:26AM 20 Mr. Figueroa, the target number is the 8156 number of your
21 brother's *maraca*; is that correct? In this call?

22 A. Yes.

23 Q. Yet at the beginning of the call who answers the phone
24 saying hello?

11:22:47AM 25 A. Leitscha.

1 Q. And then who does she put on to speak to Obed?

2 A. My brother Javi.

3 Q. Based on your participation in this conspiracy and your
4 familiarity with the relationship between Javi and Obed, do
11:23:05AM 5 you have an opinion regarding the meaning of the terms used by
6 Obed in this call where he says yeah, I finished an old
7 lady -- an old lady, there are 43 on the side.

8 A. Yes.

9 Q. Can you tell us what that opinion is?

11:23:20AM 10 **MR. VACCA:** Objection, Your Honor, no foundation for
11 rendering an opinion.

12 **THE COURT:** Overruled. You can answer the question.

13 **THE WITNESS:** That he referring he finished a 62
14 and -- he finished a 62 of cocaine, there's 43 little baggies
11:23:35AM 15 on the side.

16 **BY MR. MARANGOLA:**

17 Q. When you say he finished a 62 of cocaine, what do you mean
18 finished?

19 A. He finished bagging up 62, 62 grams of cocaine and there's
11:23:43AM 20 43 little baggies on the side.

21 Q. And when Obed said 24 came out exactly, exactly, exactly,
22 not one over or under, what did you understand him to mean?

23 **MR. VACCA:** Objection, Your Honor.

24 **THE COURT:** Overruled.

11:24:01AM 25 **THE WITNESS:** That 24 packages or small little bags

1 of cocaine is 50 bags in each little package, so 24 of those
2 came out of the 62 exactly.

3 **BY MR. MARANGOLA:**

4 Q. The 24 was a reference to what?

11:24:18AM 5 A. Amount of package that came out of a 62.

6 Q. The amount of packages?

7 A. Yes.

8 Q. All right. When your brother said in response so do the
9 other one that is still pending, what did you understand that
10 to mean?

11 A. Do the other 62, do the other 62 grams. They got to do.

12 Q. Okay. When Obed said -- said he didn't want to do that
13 basically, right? During this call?

14 A. Yes.

11:24:48AM 15 Q. And what did your brother tell him to do?

16 A. Do it now.

17 Q. Who did he tell Obed to tell finish bagging up the 62 now?

18 **MR. VACCA:** Objection, Your Honor.

19 **THE COURT:** Overruled.

11:25:04AM 20 **THE WITNESS:** Flamingo, Jashua or Peter.

21 **BY MR. MARANGOLA:**

22 Q. All right. At the end of the call Javi says listen,
23 *la flaca* is going to go by there to help the other guy.

24 Do you have an opinion regarding what Javi was
11:25:23AM 25 referring to when he said *la flaca* is going to go by there to

1 help the other guy?

2 A. Yes.

3 Q. What's that?

4 **MR. VACCA:** Objection, Your Honor.

11:25:31AM 5 **THE COURT:** Overruled.

6 **MR. VACCA:** No objection.

7 **THE COURT:** Overruled. You can answer.

8 **THE WITNESS:** She's gonna help Jashua finish the
9 62 -- bagging up the 62.

11:25:38AM 10 **BY MR. MARANGOLA:**

11 Q. Where?

12 A. East Main.

13 Q. All right. If we could play from Government's Exhibit 22,
14 the pole camera compilation, at 8:30 p.m. on January 24th at
11:25:54AM 15 Barrington. And this is four minutes after the end of that
16 call. What are we looking at here, Mr. Figueroa?

17 A. Leitscha left the house at Barrington.

18 Q. All right. If we could fast forward to -- actually, we're
19 already there. Tell us what you're seeing there.

11:26:30AM 20 A. See the lights turned on, the car pull off.

21 Q. You couldn't actually see the car? You could just see the
22 lights?

23 A. See the lights, yes.

24 Q. At the time whose cars were in the driveway?

11:26:42AM 25 A. My car and my brother's car.

1 Q. All right. And if we could go to the pole camera clip at
2 8:45 p.m. on that same day at East Main. You recognize the
3 vehicle that pulled into the back parking lot at 820 East
4 Main?

11:27:29AM 5 A. Yes.

6 Q. And whose vehicle is that?

7 A. That's Leitscha.

8 Q. She's backing into a spot again?

9 A. Yes.

11:27:39AM 10 Q. All right. If we could fast forward to a minute and 30
11 seconds into the clip. Can you tell us if you recognize
12 anything in that clip?

13 A. Yes, Leitscha left with a book bag and a bag.

14 Q. She left her car?

11:28:03AM 15 A. Yes.

16 Q. With a book bag?

17 A. Yes, and a bag.

18 Q. And another bag?

19 A. Yes, she carrying a bag.

11:28:10AM 20 Q. Where is she going?

21 **MR. VACCA:** Objection, Your Honor.

22 **THE COURT:** Overruled. You can describe what's
23 happening.

24 **THE WITNESS:** She going inside the building, she
11:28:19AM 25 about to go up the stairs.

1 **BY MR. MARANGOLA:**

2 Q. You see where she's going now?

3 A. Yes.

4 Q. Where is she going?

11:28:28AM 5 A. She going inside the building.

6 Q. Building at 820, correct?

7 A. Yes.

8 Q. All right. Mr. Figueroa, if you could flip to 1-156 in
9 your binder. I'd like you to look at that call and the next

11:28:57AM 10 call and tell us first if your initials are on those
11 transcripts.

12 A. Yes.

13 Q. Are your initials on both of those transcripts?

14 A. Yes.

11:29:15AM 15 Q. Did you listen to the calls that corresponds to both of
16 those transcripts?

17 A. Yes.

18 Q. With respect to the transcript at 1-156, who are the
19 speakers in that call?

11:29:32AM 20 A. That's my brother Javi and Obed.

21 Q. And with respect to 157?

22 A. That's my brother, Obed and Leitscha.

23 Q. There's also a UM listed; is that right?

24 A. Yes.

11:29:46AM 25 Q. All right. That's an unidentified male?

1 A. Yes.

2 **MR. MARANGOLA:** At this time I'd offer the calls
3 corresponding to 1-156 and 1-157.

4 **MR. VACCA:** Objection, Your Honor.

11:29:58AM 5 **THE COURT:** Overruled. Exhibits 1-156 and 1-157
6 will be received.

7 (WHEREUPON, Government's Exhibit 1-156 and 1-157
8 were received into evidence).

9 **BY MR. MARANGOLA:**

11:30:12AM 10 Q. Before we play this call, which is at 6:08 p.m. on January
11 25th, I'd like to play from Exhibit 18, the hard drive for
12 Burbank, a clip at 6:06 p.m.

13 **THE COURT:** What exhibit is this?

14 **MR. MARANGOLA:** 18, Your Honor.

11:30:32AM 15 **THE COURT:** Thank you.

16 **BY MR. MARANGOLA:**

17 Q. What do you see happening at 6:07 and change,
18 Mr. Figueroa?

19 A. My brother's pulling out of the driveway of Burbank.

11:30:45AM 20 Q. He's leaving his house?

21 A. Yes.

22 Q. This clip he's gone at approximately 6:07 and 23 seconds?

23 A. Yes.

24 Q. All right. If we can now play the call corresponding to
11:31:02AM 25 1-156, which is at 6:08:07 p.m.

1 Mr. Figueroa, based on your participation in this
2 operation and your familiarity with the relationship between
3 Javi and Obed, do you have an opinion regarding what Obed was
4 telling Javi he needs when he says I need a young lady, a
11:32:15AM 5 31-year-old young lady, and he says El Cuba needs it right
6 now?

7 A. Yes.

8 Q. And what is that opinion?

9 **MR. VACCA:** Objection, Your Honor.

11:32:24AM 10 **THE COURT:** Overruled.

11 **THE WITNESS:** That he need a 31 -- 31 gram of coke,
12 and he gonna give it to Cuba, Cuba gonna sell it to somebody
13 else.

14 **BY MR. MARANGOLA:**

11:32:35AM 15 Q. All right. And when Javi says I will send her to take it
16 out now, do you have an opinion about what the meaning of that
17 sentence was?

18 A. Yes.

19 Q. Can you tell us that?

11:32:51AM 20 A. Yes. He gonna send Leitscha to go take the coke out of
21 the -- out of the stash.

22 Q. All right. At this time I'd like to play from
23 Government's Exhibit 16 -- I'm sorry, actually, let's play the
24 next call first. 1-157, if we could play that, which is a
11:33:20AM 25 minute later at 6:09.

1 Mr. Figueroa, based on your participation in this
2 conspiracy and your familiarity with the relationship between
3 Javi and Leitscha and Obed, when Leitscha asked one lady and
4 Javi said no old lady, no old lady, do you have an opinion
11:34:11AM 5 regarding what they were referring to?

6 A. Yes.

7 Q. And what is that?

8 MR. VACCA: Objection, Your Honor.

9 THE COURT: Overruled.

11:34:19AM 10 THE WITNESS: Not 62 grams.

11 BY MR. MARANGOLA:

12 Q. I'm sorry?

13 A. Not 62 grams, not a old lady.

14 Q. The young lady, what's the young lady versus old lady?

11:34:29AM 15 A. Old lady is 62 grams, the young lady is 31 grams of coke.

16 Q. When Javi says listen, for you to take it to Cuba, he said
17 to the same place where you took it the other time, do you
18 have an opinion regarding who he's speaking to?

19 MR. VACCA: Objection, Your Honor.

11:34:44AM 20 THE COURT: Overruled.

21 THE WITNESS: He talking about the Cuban guy,
22 they're gonna take it to the same place where she serve him
23 before.

24 BY MR. MARANGOLA:

11:34:53AM 25 Q. When you say when she served him before, when Javi says

1 listen, for you to take it to Cuba, do you have an opinion as
2 to who the you is that he's talking about?

3 A. Talking about Leitscha.

4 Q. All right. And what does Leitscha answer him after he
11:35:08AM 5 says that in the call?

6 A. She say okay.

7 Q. All right. Now, if we could play from Government's Exhibit
8 16, which is the hard drive of the pole camera at Barrington,
9 the clip from 6:23, approximately 14 minutes later.

11:35:40AM 10 What did you see there?

11 A. I seen Leitscha came out of the house, walked to her car.

12 Q. Came out of the house at 292 Barrington?

13 A. Yes.

14 Q. And got into her vehicle?

11:35:49AM 15 A. Yes.

16 Q. We see her leaving the driveway; is that right?

17 A. Yes.

18 Q. Do you know where Leitscha was bringing 31 grams of
19 cocaine?

11:36:14AM 20 A. No.

21 Q. All right. If we could go now to tab 1-178. Mr. Figueroa,
22 if you could flip to that. I'd like you to take a look at
23 that transcript and the one behind it 1-179.

24 A. Yes.

11:37:00AM 25 Q. Are your initials on both of those transcripts?

1 A. Yes.

2 Q. Did you listen to the calls that correspond to both of
3 those transcripts?

4 A. Yes.

11:37:07AM 5 Q. And who are the speakers in both of those calls?

6 A. My brother Javi and Obed.

7 **MR. MARANGOLA:** At this time I'd offer Government's
8 178 -- I'm sorry, 1-178 and 1-179.

9 **MR. VACCA:** Objection, Your Honor.

11:37:22AM 10 **THE COURT:** Overruled. Exhibit 1-178 and 1-179 will
11 be received.

12 (**WHEREUPON**, Government's Exhibit 1-178 and 1-179
13 were received into evidence).

14 **BY MR. MARANGOLA:**

11:37:44AM 15 Q. Mr. Figueroa, regarding the first of these calls 1-178, do
16 you see the target number and the incoming call number?

17 A. Yes.

18 Q. And you previously identified I believe the 8057 as your
19 brother Javi's personal phone; is that right?

11:38:05AM 20 A. Yes.

21 Q. And I believe we showed the contact for the 673-6756 as
22 the number corresponding to the contact OBB in the extraction
23 for 8057. Do you recall that?

24 A. Yes.

11:38:20AM 25 Q. All right. So this is a personal phone to a personal

1 phone; is that right?

2 A. Yes.

3 Q. And according to the transcript, it reflects an incoming
4 call from Obed's personal number to Javi's personal number; is
11:38:33AM 5 that right?

6 A. Yes.

7 Q. All right. If we could play this call, please.

8 Mr. Figueroa, after Obed says I have the telephone here, the
9 little one, and Javi says I will call you at the -- the little
11:39:07AM 10 one, do you have an opinion based on your participation in
11 this conspiracy and familiarity with the relationship between
12 Javi and Obed as to what your brother was telling Obed?

13 A. Yes.

14 **MR. VACCA:** Objection, Your Honor.

11:39:20AM 15 **THE COURT:** Overruled.

16 **BY MR. MARANGOLA:**

17 Q. What is that?

18 A. He telling him to call him on the flip phone, on the
19 *maraca*.

11:39:26AM 20 Q. And Javi says he's going to what?

21 A. To call him on the small phone, the flip phone.

22 Q. Javi is going to call Obed on the small phone?

23 A. Yes.

24 Q. Okay. And that's a drug phone; is that right?

11:39:37AM 25 A. Yes.

1 Q. All right. If we can go to the next call 1-179, and do you
2 see this call is approximately 30 seconds after the last call
3 we just heard; is that right?

4 A. Yes.

11:39:56AM 5 Q. And this is an outgoing call from Javi's 8156 *maraca*; is
6 that right?

7 A. Yes.

8 Q. And the outgoing call is to a 485-9001; is that right?

9 A. Yes.

11:40:15AM 10 Q. All right. So this would be *maraca* to *maraca*?

11 A. Yes.

12 Q. If we could play this call. Mr. Figueroa, when your
13 brother called Obed on this new number he said -- I'm sorry,
14 when, yes, when your brother called Obed on this number Obed

11:41:06AM 15 said I need four old ladies of 62 years, do you have an
16 opinion regarding the meaning of four old ladies of 62 years?

17 A. Yes.

18 Q. And what is that?

19 A. That need four 62 grams.

11:41:19AM 20 Q. Four 62 gram quantities of?

21 A. Of coke, yes.

22 Q. That's a quarter kilogram of cocaine?

23 A. Yes.

24 Q. When Obed says take it to the apartment, I'm in the
11:41:33AM 25 apartment, do you have an opinion as to where Obed was

1 referring to?

2 A. Yes.

3 Q. Based on your participation in this operation, what is
4 that opinion?

11:41:43AM 5 A. East Main where he live.

6 Q. All right. Now, I'd like you to hold your place in this
7 tab and if you could refer back to 1-82. Do you remember us
8 playing this call corresponding to tab 1-82?

9 A. Yes.

11:42:22AM 10 Q. And your initials are on this call; is that right?

11 A. 1-82, yes.

12 Q. In this call Obed told Javi I need four old ladies; is
13 that right?

14 A. Yes.

11:42:35AM 15 Q. And the number that Javi used in this call is 662-8156; is
16 that right?

17 A. Yes.

18 Q. And the number Obed used is 485-4520; is that right?

19 A. Yes.

11:42:51AM 20 Q. And that was January 19th; is that right? The call,
21 Mr. Figueroa, at 1-82 was on January 19th, correct? 1-82.

22 A. 1-182?

23 Q. 1-82.

24 A. 82. I'm in 1-82.

11:43:54AM 25 Q. That call Obed said he needed four old ladies, right?

1 A. Yes.

2 Q. And the number that Obed used to call Javi was 485-4520,
3 correct?

4 A. Yes.

11:44:04AM 5 Q. And the number that Javi received that call from is
6 662-8156?

7 A. Yes.

8 Q. All right. If we go to the call we just heard 1-179, I
9 think -- are your hands on it?

11:44:28AM 10 A. Yes.

11 Q. And Obed's again saying I need four old ladies of 62
12 years, he says that in this call, correct?

13 A. Yes.

14 Q. And this is nine days later on January 28th, 2018,
11:44:36AM 15 correct?

16 A. Yes.

17 Q. And he's calling from a different number, right?

18 A. Yes.

19 Q. At the end of this call after Obed says take it to the
11:44:56AM 20 apartment, I'd like to -- now if we could play from

21 Government's Exhibit 22, the pole camera compilation, after
22 Obed in this call said take it to the apartment, Javi said
23 that's fine, all right. Is that correct?

24 A. Yes.

11:45:18AM 25 Q. All right. And if we could play the clip at 5:24 at

1 Barrington. This is 5:24 p.m. on January 28th, 2018. What
2 are you seeing there?

3 A. Leitscha leaving the house.

4 Q. At 292 Barrington?

11:45:48AM 5 A. Yes.

6 Q. And this is approximately 11 minutes after the call we
7 just heard where Obed said I need four old ladies of 62 years?
8 Yes?

9 A. Yes.

11:46:00AM 10 Q. What vehicle did she get in?

11 A. To her vehicle.

12 Q. All right. Her vehicle left the driveway; is that correct?

13 A. Yes.

14 Q. All right. If we can now go to clip at -- from

11:46:16AM 15 Government's Exhibit -- also from Government's Exhibit 22, the
16 clip at 5:25 p.m. from 820 East Main. So this clip is just
17 one minute later than the clip where we saw Leitscha's
18 vehicle. Do you recognize that particular vehicle?

19 A. No.

11:46:58AM 20 Q. All right. That vehicle is backing up into a spot at
21 the -- behind 820 East Main; is that correct?

22 A. Yes.

23 Q. All right. Now, if we could fast forward to 1 minute and
24 43 seconds into this clip. Can you tell us what you see here?

11:47:27AM 25 A. That's Obed walking up to the building.

1 Q. And who else?

2 A. Jashua.

3 Q. Can you describe who is who that we're seeing walking from
4 where that car was toward the building?

11:47:40AM 5 A. The first person walking out, that was Obed.

6 Q. Okay. And then there's a person in a white T-shirt and red
7 shorts?

8 A. Yes.

9 Q. Who is that?

11:47:51AM 10 A. Jashua.

11 Q. And do you recognize the third person?

12 A. The one in the middle I'm not sure, but it looked like
13 Jose.

14 Q. Looks like Jose?

11:47:59AM 15 A. Yes.

16 Q. Okay. All right. If we can keep playing. Where are the
17 three of them heading together?

18 A. They going to the building.

19 Q. Do you see anything in their hands?

11:48:19AM 20 A. Yeah, they got bags.

21 Q. What's happening here at approximately 2:30?

22 A. They're going inside the building.

23 Q. All right. If we could fast forward now to 6 minutes and
24 29 seconds into this clip. This is at 5:31 p.m. Do you

11:48:59AM 25 recognize the vehicle pulling in to the rear of the building

1 now?

2 A. Yes.

3 Q. Who is that?

4 A. That's Leitscha.

11:49:05AM 5 Q. Who we saw just leaving 292 Barrington a few minutes ago?

6 A. Yes.

7 Q. She's parked the vehicle; is that right?

8 A. Yes.

9 Q. What are you seeing here?

11:49:35AM 10 A. She about to go up to the building.

11 Q. What do you see her doing here at approximately 7:30 in
12 the clip?

13 A. She went up the stairs.

14 Q. All right. If we could fast forward now to 14:32 in the
11:50:09AM 15 clip. This is approximately seven minutes later at 5:39 p.m..

16 What do you see happen there?

17 A. See somebody coming out of the building.

18 Q. Out of the building at 820 East Main?

19 A. Yes.

11:50:30AM 20 Q. Do you recognize who that is?

21 A. Yes.

22 Q. Who is that?

23 A. That's Leitscha.

24 Q. What do you see her doing here?

11:50:49AM 25 A. She about to get into her car.

1 Q. All right. The car is starting to back up?

2 A. Yes.

3 Q. Okay. All right. Let's flip to tab -- back to tab -- which
4 we have not gone to yet, which is 1-139, Mr. Figueroa. Are
11:51:39AM 5 you at that transcript?

6 A. Yes.

7 Q. Are your initials on that transcript?

8 A. Yes.

9 Q. And did you listen to the call corresponding to that
11:51:46AM 10 transcript?

11 A. Yes.

12 Q. Who are the speakers in this call?

13 A. My brother Javi.

14 Q. And there's also another individual; is that right?

11:51:55AM 15 A. Yes.

16 Q. And you didn't know who that was, correct?

17 A. No.

18 Q. All right. The target number in this call is your brother
19 Javi's 8156 *maraca*; is that right?

11:52:06AM 20 A. Yes.

21 Q. And this is an incoming call to that number?

22 A. Yes.

23 Q. And it's from a phone with a 787 area code; is that
24 right?

11:52:15AM 25 A. Yes.

1 Q. And that's an area code of where?

2 A. Puerto Rico.

3 **MR. VACCA:** Objection, Your Honor.

4 **THE COURT:** I'm sorry. He can answer that question.

11:52:25AM 5 Overruled. Area code.

6 **THE WITNESS:** Puerto Rico.

7 **MR. MARANGOLA:** At this time, Your Honor, I'd offer
8 Government's 1-139.

9 **MR. VACCA:** *Voir dire*, Your Honor?

11:52:37AM 10 **THE COURT:** Sure.

11 **MR. VACCA:** Mr. Figueroa, in this document it
12 indicates an unknown male; is that correct?

13 **THE WITNESS:** Yes.

14 **MR. VACCA:** The information that the Government
11:52:51AM 15 received, was that from you that you could not identify who
16 this was or did it come from the Government?

17 **MR. MARANGOLA:** Objection to the form of that
18 question, Judge.

19 **THE COURT:** Sustained.

11:53:08AM 20 **MR. VACCA:** Unknown male -- it says unknown male.
21 Did you listen to this before?

22 **THE WITNESS:** Yes.

23 **MR. VACCA:** And did you indicate that you did not
24 know who this other individual was?

11:53:19AM 25 **THE WITNESS:** Yes.

1 **MR. VACCA:** That's what you told the Government,
2 correct?

3 **THE WITNESS:** Yes.

4 **MR. VACCA:** So you don't remember who supposedly
11:53:28AM 5 your brother had this conversation with, correct?

6 **MR. MARANGOLA:** Objection, Judge, he didn't say he
7 didn't remember. He said he didn't know.

8 **THE COURT:** Sure. Sustain the objection.

9 **MR. VACCA:** So you don't know who this other
11:53:40AM 10 individual is, correct?

11 **THE WITNESS:** I don't know who he is.

12 **MR. VACCA:** Your Honor, I would object to the
13 admission of this document at this time. Obviously it's not
14 conversation because he doesn't remember who the other person
11:53:52AM 15 is.

16 **THE COURT:** Sustained.

17 **MR. MARANGOLA:** Judge, may I be heard on this
18 briefly on the --

19 **THE COURT:** Sure.

11:54:02AM 20 **(WHEREUPON,** a discussion was held at side bar out
21 of the hearing of the jury.).

22 **MR. MARANGOLA:** Judge, as the Court knows, there's
23 no requirement to identify the second person in the call. The
24 relevance to this call is that the other individual refers to
11:54:19AM 25 the defendant as Javi on this phone.

1 Mr. Vacca has challenged the voice identification
2 of his client at every single phone call related to this 8156,
3 and the individual in this call whose identity is meaningless
4 for the relevancy addresses the defendant by Javi and Javi
11:54:38AM 5 responds to him.

6 So I would submit to the Court that the foundation
7 is that the defendant has been identified as a participant --
8 any male, any female, any individual calling the defendant by
9 Javi over this phone and him responding to it is highly
11:54:54AM 10 relevant and probative of that, his use of that 8156 number.

11 So for that purpose, Your Honor, I would offer the
12 call corresponding to this tab 1-139.

13 **THE COURT:** Mr. Vacca?

14 **MR. VACCA:** Your Honor, I do believe that the Court
11:55:13AM 15 should honor my objection. It says unknown male. Could be
16 anybody. We don't know what the conversation's really about
17 with this unknown male. It could be Mr. Figueroa here,
18 Roberto. So I would object to the admission of that into
19 evidence.

11:55:29AM 20 **THE COURT:** Yes, sustain the objection.

21 **MR. MARANGOLA:** Judge, the only other thing -- I
22 appreciate the Court letting me talk. The other thing I would
23 say to the Court, there have been previous calls where there's
24 been an unknown or unidentified male in the call and for the
11:55:44AM 25 purposes of this call if somebody called up Javi and said, for

1 example, I want 5 kilos of cocaine, and he said okay, I'll get
2 it for you, it wouldn't matter who the person is that called
3 him. What matters is the defendant's response to that.

4 So given that, Judge, I would -- I would request
11:56:02AM 5 that the Court reconsider given the fact that the individual
6 refers to him twice in this phone call and addresses the
7 defendant as Javi over the drug phone and the defendant
8 responds both substantively in the call and then says okay
9 after the person says Javi, take care, the defendant says
11:56:21AM 10 okay, yes.

11 **THE COURT:** Okay. I recall -- I think the other
12 calls were unidentified male. The unidentified male or female
13 made no statement. I sustain the objection.

14 **MR. MARANGOLA:** The other thing --

11:56:35AM 15 **THE COURT:** No.

16 **MR. MARANGOLA:** Okay, thank you.

17 (WHEREUPON, side bar discussion concluded.)

18 **BY MR. MARANGOLA:**

19 Q. Mr. Figueroa, you've testified that your brother described
11:56:53AM 20 and you observed kilos of cocaine being shipped from
21 Puerto Rico in boxes with candy; is that right?

22 A. Yes.

23 Q. Did your brother ever describe to you other methods that
24 he obtained kilos of cocaine from Puerto Rico?

11:57:10AM 25 **MR. VACCA:** Objection, Your Honor.

1 **THE COURT:** Overruled.

2 **BY MR. MARANGOLA:**

3 Q. You can answer that.

4 A. Yes.

11:57:18AM 5 Q. What were some of those ways he described to you?

6 A. He tell me used to get them in the boxing pads and he used
7 to get them like that before he start doing it with the candy.

8 Q. All right. At this time I'm going to show you
9 Government's Exhibit 608. Do you recognize anything in this
11:57:57AM 10 photograph, Mr. Figueroa, Government's Exhibit 608?

11 A. Yes.

12 Q. And what do you recognize in this photograph?

13 A. Do you want me to point at it?

14 Q. Sure, you can touch your screen or circle it. You've
11:58:14AM 15 touched the screen and placed a circle over the white and gray
16 with green marking object in a box in the center of that
17 photograph; is that right?

18 A. Yes.

19 Q. Can you tell us what you recognize that item to be?

11:58:26AM 20 A. That's boxing pads.

21 Q. It's boxing pads?

22 A. Yes.

23 Q. All right. How do you recognize that boxing pad?

24 A. I've seen it before.

11:58:36AM 25 Q. All right. And did you notice anything in particular

1 about that boxing pad?

2 A. No. He told me that they used to put them in there.

3 Q. He told you what?

4 A. My brother Javi.

11:58:46AM 5 Q. Told you they used to bring what?

6 A. The kilos of cocaine in the boxing pads.

7 Q. All right. How would they bring the kilos of cocaine in
8 the boxing pads?

9 A. He didn't show me how. He just told me they bring them in
11:59:01AM 10 there.

11 Q. Okay. Did he tell you whether Freddie Silva was involved
12 in that?

13 A. No.

14 Q. Okay. Regarding Freddie Silva, did you observe certain
11:59:15AM 15 items packaged for shipping to Freddie Silva during the course
16 of your participation in this conspiracy?

17 A. Yes.

18 Q. Where did you observe those items get packed in
19 preparation for being shipped to Freddie Silva?

11:59:31AM 20 A. Barrington.

21 Q. All right. At this time I'd like you to flip to tab 1-140
22 and 1-141 -- I'm sorry, 1-141 and 1-142. Are your initials on
23 the transcript behind tab 1-141?

24 A. Yes.

12:00:15PM 25 Q. Did you listen to the call corresponding to that

1 transcript?

2 A. Yes.

3 Q. And who are the speakers in that call?

4 A. That's my brother Javi, Freddie Silva, and his wife Tasha.

12:00:28PM 5 Q. Take a look at that transcript 1-141 and tell us again who
6 are the speakers in that call.

7 A. My brother Javi, Freddie Silva, and Freddie Silva's wife
8 Tasha.

9 **THE COURT:** Didn't we already go through this?
10 1-141 and 1-142?

11 **MR. MARANGOLA:** I don't remember going through 141,
12 Your Honor. I think --

13 **THE COURT:** Okay, go ahead.

14 **MR. MARANGOLA:** -- not with this witness.

12:00:58PM 15 **BY MR. MARANGOLA:**

16 Q. The transcript indicates the speakers are your brother
17 Javi and Freddie Silva's wife?

18 A. Yes.

19 Q. Is that correct?

12:01:08PM 20 A. Yes.

21 Q. Does it say Freddie Silva is one of the speakers or just
22 Freddie Silva's wife?

23 A. Freddie Silva's wife.

24 Q. All right. And I think you previously testified regarding
12:01:22PM 25 your familiarity with her voice. You had seen her speak in

1 person on multiple occasions before January 25th, 2018; is
2 that right?

3 A. Yes.

4 Q. You were familiar with her voice?

12:01:34PM 5 A. Yes.

6 **MR. MARANGOLA:** At this time I'd offer Government's
7 1-141.

8 **MR. VACCA:** I'd object, Your Honor.

9 **THE COURT:** I have 1-141 previously received for the
10 data only, so you're asking for the call itself?

11 **MR. MARANGOLA:** Thank you. And I think 1-142 was
12 previously received.

13 **THE COURT:** That was received.

14 **MR. MARANGOLA:** Yes.

12:02:00PM 15 **THE COURT:** 1-141 is received.

16 (**WHEREUPON**, Government's Exhibit 1-141 was received
17 into evidence).

18 **MR. MARANGOLA:** Thank you.

19 **BY MR. MARANGOLA:**

12:02:06PM 20 Q. If we could play 1-141. And this is a call on January
21 25th, 2018 at 12:03 p.m. Mr. Figueroa, this reflects an
22 outgoing call from your brother's -- your brother Javi's 8057
23 personal phone; is that right?

24 A. Yes.

12:02:29PM 25 Q. And it's to a 787 number; is that right?

1 A. Yes.

2 Q. All right. If we could play this call. If you can flip to
3 the tab 1-142, which is an incoming text to your brother's
4 personal phone approximately one minute later. What's the
12:03:16PM 5 name in that incoming text message?

6 A. Freddie Silva.

7 Q. All right. And at this time I'd like to show pole camera
8 footage from January 25th, 2018, from Government's Exhibit 22,
9 which we have not shown with you, Mr. Figueroa, on January
12:03:40PM 10 25th, 2018, at 12:22 p.m., approximately 17 minutes after the
11 last text message. We're at 292 Barrington; is that right?

12 A. Yes.

13 Q. Can you tell us what we're observing here?

14 A. My brother walking out with a box and I'm walking out with
12:04:09PM 15 another box.

16 Q. And who else is in that clip?

17 A. Nisharya, my brother's wife.

18 Q. Can you tell the jury, do you remember what was in the
19 boxes that you and your brother Javi are shown in this clip
12:04:32PM 20 putting in his silver GMC pick-up at approximately 12:22 p.m.
21 on January 25th, 2018?

22 A. Yes, it was some -- some money that was vacuum sealed, put
23 it in a box of candy and carbon paper.

24 Q. There was money and what? Carbon paper?

12:04:59PM 25 A. Carbon paper.

1 Q. All right. Were you involved in packaging the boxes that
2 we just saw you and your brother Javi walk out of 292
3 Barrington carrying?

4 A. No.

12:05:09PM 5 Q. What were you involved in doing?

6 A. I was watching him. I was carry the boxes up.

7 Q. All you did was carry the boxes?

8 A. Yes.

9 Q. You saw what they put in those boxes?

12:05:20PM 10 A. Yes.

11 Q. All right. We can see him go back into the house here at
12 approximately 1:42 in the clip; is that right?

13 A. Yes.

14 Q. All right. Now, if we could go to the next clip at 12:40

12:05:37PM 15 p.m. on that same day at Barrington. And fast forward to
16 about 30 seconds into the clip. Tell us who we're seeing
17 here.

18 A. My brother Javi leaving the house.

19 Q. Leaving 292 Barrington?

12:06:05PM 20 A. Yes.

21 Q. If we can fast forward while we're playing the portion of
22 the clip here. Who is that walking out into the car and
23 getting into the truck?

24 A. That's Nishy, my brother's wife.

12:06:28PM 25 Q. You know where Javi and Nishy and anyone else were leaving

1 after you put those two boxes into your brother's pick-up
2 truck?

3 A. No.

4 Q. If we can fast forward a little bit. Who are we seeing
12:06:58PM 5 here at approximately 2:14 in the clip?

6 A. Leitscha come out with the little girl.

7 Q. All right. Leitscha is in the white coat?

8 A. Yes.

9 Q. All right. Then if we can fast forward here. Did you see
12:07:19PM 10 your brother's silver GMC leave?

11 A. Yes.

12 Q. All right. Now we're seeing Leitscha's vehicle leave at
13 approximately 12:45?

14 A. Yes.

12:07:56PM 15 Q. All right. Mr. Figueroa, I'd like --

16 **MR. MARANGOLA:** Your Honor, at this time I'd offer
17 the text messages behind tabs 1-158 and 1-159, as well as
18 1-169 and 1-170 for which the foundation has previously been
19 testified to by Investigator Briganti.

12:08:23PM 20 **MR. VACCA:** Your Honor, I would object to 1.158. I
21 would object to 1.159. Also 1.169. And 1.170.

22 **THE COURT:** It's not 179. It's 170.

23 **MR. VACCA:** 170, Your Honor, 169 and 170.

24 **THE COURT:** Overruled. These have all been
12:09:51PM 25 identified by Investigator Briganti.

1 1-158, 1-159, 1-169, and 1-170 will be received.

2 (WHEREUPON, Government's Exhibit 1-158, 1-159,
3 1-169 and 1-170 were received into evidence).

4 **BY MR. MARANGOLA:**

12:10:12PM 5 Q. If we can flip to 1-158, Mr. Figueroa, that's an
6 outgoing text message from the 4661 number that was
7 previously identified as Leitscha's personal phone; is that
8 right?

9 A. Yes.

12:10:27PM 10 Q. And that's to that same 787 number that we just saw before
11 regarding Freddie Silva's wife?

12 A. Yes.

13 Q. All right. And that's -- that tracking number ends in 72
14 in that text message; is that right?

12:10:44PM 15 A. Yes.

16 Q. All right. If we could show Government's Exhibit 346. Do
17 you see the tracking number on the white labels ending in 72
18 up there?

19 A. Yes.

12:11:18PM 20 Q. And this package is addressed to Freddie Silva in
21 Puerto Rico; is that right?

22 A. Yes.

23 Q. All right. If we could show you 354. Do you recognize
24 what's shown in Government's 354?

12:11:35PM 25 A. Yes.

1 Q. What is that?

2 A. That's some money.

3 Q. All right.

4 A. And carbon paper.

12:11:40PM 5 Q. It's money and what?

6 A. It's money, the carbon paper, and the vacuum seal bag.

7 Q. All right. Touch the screen and show us first the vacuum
8 sealed bag. All right, you've touched the plastic on the
9 right side of the screen; is that right?

12:11:54PM 10 A. Yes.

11 Q. And we see the money. And then where is the carbon paper?

12 All right, you've drawn lines above and below the quantity of
13 cash there? Now, you've touched the money?

14 A. Yes.

12:12:10PM 15 Q. Why did you do that?

16 A. This is the money. And this is the carbon paper, the
17 white part where black, that's the carbon paper.

18 Q. Did you see that quantity of money vacuum sealed and
19 placed in the carbon paper?

12:12:23PM 20 A. Yes.

21 Q. Before it was in that box?

22 A. Yes.

23 Q. Who put it in there?

24 A. Leitscha and my brother's wife.

12:12:30PM 25 Q. All right. And then when they did that where was your

1 brother?

2 A. My brother is right there in the kitchen with us.

3 Q. All right. Then if we can go to tab 1-159. If you could
4 clear your marks. Thank you. And 1-159 is an outgoing

12:12:59PM 5 text message again from Leitscha's 4661 number to that same
6 787 number of Freddie Silva or his wife; is that right?

7 A. Yes.

8 Q. And this tracking number ends in 89; is that correct?

9 A. Yes.

12:13:14PM 10 Q. I'd like to show you Government's Exhibit 360. And if we
11 can blow up the -- or enlarge the sticker there. Do you see
12 the tracking number ending in 89?

13 A. Yes.

14 Q. All right. If we could go back to the regular size of that
12:13:33PM 15 photo. And that box is also addressed to Freddie Silva; is
16 that correct?

17 A. Yes.

18 Q. All right. If we could show you now Government's 362. You
19 recognize what's in Government's 362?

12:13:52PM 20 A. Yes.

21 Q. What do you recognize in Government's 362?

22 A. The carbon paper, the green package of carbon paper.

23 Q. The green packages of carbon paper?

24 A. Yes.

12:14:08PM 25 Q. All right. And they're sitting on top of other boxes in

1 that cardboard box; is that right?

2 A. Yes.

3 Q. And what are the boxes that the green carbon paper
4 packages are sitting on top of?

12:14:23PM 5 A. Plastic bags.

6 Q. If we could go to Government's 363. You see those white
7 FoodSaver boxes in Government's 363?

8 A. Yes.

9 Q. Do you recognize those?

12:14:39PM 10 A. Not really.

11 Q. All right. Did you see anyone place those green
12 packages -- if we go back to 362. Did you see anyone place
13 those packages of carbon paper in the box that was addressed
14 to Freddie Silva?

12:14:55PM 15 A. No.

16 Q. You did not see anyone do that?

17 A. No.

18 Q. Okay. All right. Mr. Figueroa, on the date of your arrest
19 January 29th, 2018, were you expecting packages to come that
12:15:31PM 20 day or around that time?

21 A. I don't remember.

22 Q. You don't remember?

23 A. No.

24 Q. All right. I believe the text messages behind Government's
12:15:48PM 25 1-145 and 1-146 -- I'm sorry, I'm going to go to 1-147,

1 Mr. Figueroa. Are your initials on the transcript behind the
2 tab 1-147?

3 A. Yes.

4 Q. And did you listen to the call corresponding to that
12:16:22PM 5 transcript?

6 A. Yes.

7 Q. Did you recognize the voices in that call?

8 A. Yes.

9 Q. And who are the participants in that call?

12:16:35PM 10 A. That's Leitscha and her brother CJ.

11 Q. All right. And you previously had either spoken to or
12 seen CJ speak in person before January 25th, 2018?

13 A. Yes.

14 Q. On more than one occasion?

12:16:49PM 15 A. Yes.

16 Q. So you were familiar with his voice?

17 A. Yes.

18 Q. All right.

19 **MR. MARANGOLA:** At this time I'd offer call
12:16:55PM 20 corresponding to 1-147.

21 **MR. VACCA:** Objection, Your Honor.

22 **THE COURT:** Overruled. 1-147 will be received.

23 (**WHEREUPON**, Government's Exhibit 1-147 was received
24 into evidence).

12:17:06PM 25 **MR. MARANGOLA:** Can I just have one second, Judge?

1 **BY MR. MARANGOLA:**

2 Q. If we can pull up the extraction for the 685-4661 number,
3 which is Government's 672C. Going to the contact No. 28.

4 Mr. Figueroa, do you see the number on the contact for CJ on
12:17:56PM 5 the screen here?

6 A. Yes.

7 Q. And that's 309-0985 after the 585 area code, correct?

8 A. Yes.

9 Q. And if you'd take a look at the transcript in front of you
12:18:09PM 10 marked Government's 1-147, this is an incoming call from that
11 same number, that 309-0985; is that right?

12 A. Yes.

13 Q. For the contact CJ?

14 A. Yes.

12:18:25PM 15 Q. All right. If we could play this call? Mr. Figueroa, if
16 you can look at your screen there, if I can put up on the
17 monitor Government's 8A. This call is dated January 25th.
18 You see that? Which is a Thursday; is that right?

19 A. Yes.

12:19:36PM 20 Q. And Leitscha said in here supposedly the appointment is on
21 Saturday; is that right?

22 A. Yes.

23 Q. And the next Saturday after January 25th is Saturday,
24 January 27th; is that correct?

12:19:50PM 25 A. Yes.

1 Q. All right. If you could flip to tab 1-169 -- I'm sorry,
2 1-161. Tell us if your initials are on that transcript.

3 A. Yes.

4 Q. Did you listen to the call corresponding to that
12:20:20PM 5 transcript?

6 A. Yes.

7 Q. Who are the participants in that call?

8 A. Leitscha and her brother CJ.

9 Q. The same two participants on the call we just listened to?

12:20:32PM 10 A. Yes.

11 Q. They're the same numbers, the 4661 number of Leitscha and
12 the 309-0985 for CJ?

13 A. Yes.

14 **MR. MARANGOLA:** At this time I'd offer the call
12:20:46PM 15 corresponding to 1-161.

16 **MR. VACCA:** Objection, Your Honor.

17 **THE COURT:** Overruled. 1-161 will be received.

18 (**WHEREUPON**, Government's Exhibit 1-161 was received
19 into evidence).

12:20:56PM 20 **BY MR. MARANGOLA:**

21 Q. This call is dated January 26th, 2018, so this is Friday;
22 is that right, Mr. Figueroa?

23 A. Yes.

24 Q. If we could play this call, please. All right,

12:21:38PM 25 Mr. Figueroa, if you could now flip to tab 1-169 and 1-170,

1 both of which are text messages that the Court received a few
2 minutes ago. Are you at 169?

3 A. Yes.

4 Q. All right. Actually we'll do 170 first. That's an

12:22:12PM 5 outgoing text message from Leitscha's 4661 number to the same
6 number that she previously spoke to CJ on; is that right?

7 A. Yes.

8 Q. And this text message is January 27th, 2018, right? The
9 text at 1-170?

12:22:32PM 10 A. Yes.

11 Q. And can you read that text message to us?

12 A. Yes. Not today, but we going bowling later you want to
13 come.

14 Q. All right. And then if we can go to the tab right before

12:22:49PM 15 it 1-169. That's sent just a minute before the one we just
16 saw at 170; is that right? At 3:44 p.m.?

17 A. Yes.

18 Q. And that's also an outgoing text from Leitscha's 4661
19 number?

12:23:09PM 20 A. Yes.

21 Q. And read the text to that number?

22 A. Not today, bro, but we going bowling later you want to
23 come.

24 Q. All right. Now, can you take a look on your screen here

12:23:27PM 25 Government's Exhibit 672C again, that's the extraction for

1 cell phone 685-4661, Leitscha's personal phone. Do you see
2 the number that this text message was sent to 585-491-4771 on
3 your screen?

4 A. Yes.

12:23:48PM 5 Q. And what's the name of the contact that it was sent to?

6 A. Anthony.

7 Q. What is the actual name on the screen say?

8 A. Ant.

9 Q. Ant, A-N-T?

12:24:00PM 10 A. Yes.

11 Q. All right. And Leitscha's brother -- she had a brother
12 nicknamed CJ and the other one was what?

13 A. Anthony.

14 Q. And that's what you -- previously identified him in
12:24:11PM 15 Government's Exhibit 26?

16 A. Yes.

17 Q. Now, if you could flip to tab 1-175 --

18 **THE COURT:** I think this might be a good time to
19 take a break.

12:24:30PM 20 **MR. MARANGOLA:** Sure.

21 **THE COURT:** Ladies and gentlemen, at this time we'll
22 take a recess. In the meantime, do not discuss the matter or
23 allow anybody to discuss the matter with you. The jury may
24 step down.

12:56:41PM 25 (**WHEREUPON**, there was a pause in the proceeding).

1 (WHEREUPON, the defendant is present).

2 THE COURT: Bring the jury out, please.

3 (WHEREUPON, the jury is present).

4 THE COURT: You may proceed.

01:03:44PM 5 MR. MARANGOLA: Thank you, Your Honor.

6 Judge, before I keep asking to go on to another
7 call, I'd like to offer into evidence the following text
8 messages and one missed call: 1-177, 1-181, 1-184, all of
9 which are text messages; 1-190, which is a voicemail from ADT
01:04:19PM 10 missed call; and then 1-194 and 1-195, both of which are text
11 messages again which Investigator Briganti has laid the
12 foundation for those items.

13 MR. VACCA: No objection, Your Honor.

14 THE COURT: To any of those?

01:04:37PM 15 MR. VACCA: None.

16 THE COURT: Exhibit 1-177, 1-181, 1-184, 1-190,
17 1-194, 1-195 are received.

18 (WHEREUPON, Government's Exhibits 1-177, 1-181,
19 1-184, 1-190, 1-194 and 1-195 were received into evidence.)

01:04:59PM 20 BY MR. MARANGOLA:

21 Q. All right, Mr. Figueroa, when we stopped I believe we were
22 at tab 1-175. If you're not there could you open your book to
23 that tab?

24 A. I'm there.

01:05:18PM 25 Q. Are your initials on that transcript?

1 A. Yes.

2 Q. And did you listen to the call corresponding to that
3 transcript?

4 A. Yes.

01:05:25PM 5 Q. And can you tell us who the participants are in that
6 call?

7 A. Leitscha and Freddie Silva's wife Tasha.

8 **MR. MARANGOLA:** At this time I'd offer the call
9 corresponding to call 1-175.

01:05:43PM 10 **MR. VACCA:** No objection, Your Honor.

11 **THE COURT:** Exhibit 1-175 will be received.

12 (**WHEREUPON**, Government's Exhibit 1-175 was received
13 into evidence).

14 **BY MR. MARANGOLA:**

01:05:55PM 15 Q. If we could play this call. Mr. Figueroa, this is an
16 outgoing call from Leitscha's 4661 number to the 9357 number
17 for Freddie Silva and his wife; is that right?

18 A. Yes.

19 Q. All right. Mr. Figueroa, that call was at 2:04 on January
01:08:06PM 20 28th, 2018; is that right?

21 A. Yes.

22 Q. All right. Now, if we could go to the extraction
23 Government's 672C from Leitscha's 4661 phone to the MMS -- MMS
24 photos that are page 12 and 13. So the one here at 12 is from
01:08:50PM 25 the same phone number, it says shown to Tasha at 2:07 p.m.

1 Do you see that?

2 A. Yes.

3 Q. There's a tracking number and that number ends in 68; is
4 that right?

01:09:08PM 5 A. Yes.

6 Q. And that's three minutes after the call we just heard.

7 And then if we can go to page 13 of the extraction. And this
8 is received from Tasha to Leitscha's phone at 2:26 p.m.,

9 approximately 20 minutes later, and there are two green checks
01:09:30PM 10 next to the tracking numbers ending in 51 and 39 with delivery
11 dates of January 22nd and January 19th; is that right?

12 A. Yes.

13 Q. And the first two tracking numbers at the top of that page
14 end in 05 and in 68 and each of those say in transit to

01:09:50PM 15 destination; is that correct?

16 A. Yes.

17 Q. All right. And if we could go to 1- -- I'm sorry, before
18 we do that, no, we'll go to 1-177, please. This was just

19 received by the Court, this is a text message from the Tasha
01:10:15PM 20 and Freddie Silva Puerto Rico number to Leitscha's 4661

21 number. Do you see that?

22 A. Yes.

23 Q. And can you read that text to us?

24 A. The Spanish part or the English part?

01:10:30PM 25 Q. The English part, please.

1 A. Okay Ma it is fine it's because he changed his cell phone
2 he believed that they arrived but they are the old ones.

3 Q. All right. And the bottom two addresses or the bottom two
4 tracking numbers on the exhibit on your screen there reflect
01:10:51PM 5 delivery dates of six days and nine days before the date of
6 this text; is that right? January 22nd and the 19th, correct?

7 A. Yes.

8 Q. All right. Now, if we can go to tab 1-176. Are your
9 initials on that transcript?

01:11:23PM 10 A. Yes.

11 Q. All right. Did you listen to the call corresponding to
12 that transcript?

13 A. Yes.

14 Q. Who are the speakers in that call?

01:11:31PM 15 A. Leitscha and CJ.

16 **MR. MARANGOLA:** At this time I'd offer Government's
17 1-176.

18 **MR. VACCA:** Just one moment, please, Your Honor.

19 **THE COURT:** Yes.

01:11:52PM 20 **MR. VACCA:** No objection, Your Honor.

21 **THE COURT:** Exhibit 1-176 will be received.

22 (**WHEREUPON**, Government's Exhibit 1-176 was received
23 into evidence).

24 **BY MR. MARANGOLA:**

01:12:01PM 25 Q. And this call is January 28th, 2018 at 2:10 p.m. from the

1 Leitscha 4661 personal to the outgoing number for CJ of
2 309-8985. If we could play this call.

3 All right, Mr. Figueroa, if we could turn to tab
4 1-180. Tell us are your initials on that transcript?

01:13:54PM 5 A. Yes.

6 Q. And did you listen to the call corresponding to this
7 transcript?

8 A. Yes.

9 Q. And this is an incoming call from Obed's new *maraca*, the
01:14:06PM 10 9001 number, to Javi's 8156 *maraca*; is that right?

11 A. Yes.

12 Q. And who are the participants in this call?

13 A. My brother Javi, Obed, and Nisharya, his wife.

14 MR. MARANGOLA: At this time I would offer the call
01:14:24PM 15 corresponding to 1-180.

16 MR. VACCA: Just a moment please, Your Honor.

17 THE COURT: Yes.

18 MR. VACCA: No objection, Your Honor.

19 THE COURT: Exhibit 1-180 will be received.

01:14:48PM 20 (WHEREUPON, Government's Exhibit 1-180 was received
21 into evidence).

22 BY MR. MARANGOLA:

23 Q. Now, Mr. Figueroa, this call is dated January 29th, that's
24 the date of your arrest; is that right?

01:14:59PM 25 A. Yes.

1 Q. You were arrested later this morning?

2 A. Yes.

3 Q. Later that day in the morning?

4 A. Yes.

01:15:05PM 5 Q. All right. If we could play this call 1-180, please.

6 Mr. Figueroa, based on your participation in this conspiracy
7 and familiarity with the roles of CJ as well as Obed and Javi,
8 do you have an opinion regarding the meaning of this call?

9 A. Yes.

01:17:34PM 10 Q. Can you tell us what that is?

11 **MR. VACCA:** Objection, Your Honor.

12 **THE COURT:** Overruled. Go ahead.

13 **THE WITNESS:** That my brother telling Obed that wake
14 C up because he's got to be at his house early because the
01:17:48PM 15 mailman is going to come, the boxes from Puerto Rico, the
16 boxes are supposed to go to his house, he don't want no
17 headaches, he don't want nothing to go wrong, he supposed to
18 be there because he don't know what time the mailman is gonna
19 go by.

01:17:58PM 20 **BY MR. MARANGOLA:**

21 Q. All right. If we could play the pole camera from
22 Government's Exhibit 22 on this date -- January 29th at
23 10:20 -- on East Main. This is 10:20 in the morning.
24 Mr. Figueroa, who is living here on January 29th, 2018?

01:18:41PM 25 A. Obed.

1 Q. Tell us what we're seeing here.

2 A. We see them coming out of the building.

3 Q. How many individuals do you see come out of the building
4 there?

01:19:13PM 5 A. Four.

6 Q. All right. If we could pause it. Do you recognize any of
7 those four individuals shown on the screen which we have
8 paused at 51 seconds in the clip?

9 A. Yes.

01:19:25PM 10 Q. Who are these individuals you recognize in the parking lot
11 at 820 East Main?

12 A. Jashua, Obed.

13 Q. I'm sorry, can you identify which one you're referring to?

14 A. Jashua with the white T-shirt.

01:19:38PM 15 Q. Okay. That's Jashua Figueroa?

16 A. Yes.

17 Q. Ingrid's son?

18 A. Yes.

19 Q. Okay. Who else?

01:19:50PM 20 A. I could hardly see the face. Can you let it run a little
21 bit more?

22 Q. Run it a little bit more?

23 A. Yes.

24 Q. Okay.

01:20:01PM 25 A. Right there Jose.

1 Q. Which one is Jose?

2 A. The one go by to go drive.

3 Q. The one with the black shirt and carrying something in his
4 hand?

01:20:12PM 5 A. Yes.

6 Q. He's going to the driver's side of a vehicle?

7 A. Yes.

8 Q. And what color is that vehicle?

9 A. Black.

01:20:19PM 10 Q. All right. And do you recognize the other two individuals
11 walking out?

12 A. Yes.

13 Q. Who do you recognize?

14 A. Obed and CJ.

01:20:27PM 15 Q. Which one is Obed?

16 A. Obed is the one in the middle, CJ the one in the back.

17 Q. What color clothing is Obed wearing?

18 A. Can you let it run a little bit so I can make sure?

19 Q. Sure.

01:20:41PM 20 A. The one in black is Obed, the last one is CJ.

21 Q. All right. If we could pause it here. CJ had the jacket
22 with the red and white stripe along the sleeve?

23 A. Yes.

24 Q. Obed was wearing black clothing?

01:20:55PM 25 A. Yes.

1 Q. Okay. If we could play. What's happening here?

2 A. CJ putting a book bag in the trunk of the car.

3 Q. He's what?

4 A. He's putting a book bag in the trunk of the car.

01:21:37PM 5 Q. All right. And at 1:48 he's in the vehicle with the rest
6 of them?

7 A. Yes.

8 Q. All right. If we could fast forward to 3:10. You see that
9 vehicle now at 3:15 in the clip. What's it doing?

01:21:59PM 10 A. He's leaving East Main backing up.

11 Q. All right. It just left the parking lot at 820 East Main?

12 A. Yes.

13 Q. If we could now go to 1-180. You see that text there
14 that's an incoming text -- I'm sorry, 1-181. That's an

01:22:59PM 15 incoming text to Leitscha's personal phone; is that right?

16 A. Yes.

17 Q. It's from U.S. Postal Service, indicates that the package
18 with tracking number 05, latest status says out for delivery
19 1/29; is that correct?

01:23:16PM 20 A. Yes.

21 Q. Okay. Let's go to the next tab, which is 1-182. Are your
22 initials on this transcript?

23 A. Yes.

24 Q. Did you listen to the call?

01:23:33PM 25 A. Yes.

1 Q. Who are the speakers in this call?

2 A. Leitscha and her brother Anthony.

3 Q. All right.

4 MR. MARANGOLA: At this time I'd offer Government's
01:23:43PM 5 1-182.

6 MR. VACCA: No objection, Your Honor.

7 THE COURT: Exhibit 1-182 will be received.

8 (WHEREUPON, Government's Exhibit 1-182 was received
9 into evidence).

01:24:03PM 10 BY MR. MARANGOLA:

11 Q. If we could play this call. If we can go to the next tab
12 1-183. Are your initials on this call, this transcript?

13 A. Yes.

14 Q. Did you listen to the call that corresponds to this
01:25:23PM 15 transcript?

16 A. Yes.

17 Q. Who are the speakers in this call?

18 A. Leitscha and her brother CJ.

19 Q. This is at 10:36, approximately four minutes after she
01:25:34PM 20 called Anthony; is that right?

21 A. Yes.

22 MR. MARANGOLA: At this time I'd offer the call
23 corresponding to 1-183.

24 MR. VACCA: I have no objection, Your Honor.

01:25:43PM 25 THE COURT: Exhibit 1-183 will be received.

1 (WHEREUPON, Government's Exhibit 1-183 was received
2 into evidence).

3 **BY MR. MARANGOLA:**

4 Q. All right. If we could flip to 1-184. That's an incoming
01:26:30PM 5 text message from the U.S. Postal Service on January 29th,
6 2018, a couple minutes after that call at 10:38 a.m. to
7 Leitscha's 4661 personal phone; is that right?

8 A. Yes.

9 Q. There's a tracking number ending in 68 and says latest
01:26:48PM 10 status out for delivery 1/29/18, correct?

11 A. Yes.

12 Q. All right. If you can flip to the next tab 1-185. Are
13 your initials on that transcript?

14 A. Yes.

01:27:12PM 15 Q. Did you listen to the call corresponding to that
16 transcript?

17 A. Yes.

18 Q. And who are the speakers in this call?

19 A. My brother Javi and Obed.

01:27:25PM 20 Q. This is an incoming call from Obed's new *maraca* ending in
21 9001 to Javi's *maraca* ending in 8156; is that right?

22 A. Yes.

23 **MR. MARANGOLA:** At this time I'd offer Government's
24 1-185.

01:27:41PM 25 **MR. VACCA:** I object, Your Honor.

1 **THE COURT:** I'm sorry?

2 **MR. VACCA:** Objection, Your Honor.

3 **THE COURT:** You do object? Overruled. 1-185 will be
4 received.

01:27:50PM 5 (**WHEREUPON**, Government's Exhibit 1-185 was received
6 into evidence).

7 **BY MR. MARANGOLA:**

8 Q. If we could play this incoming call to the 8156 number.

9 All right, if we could play from Government's Exhibit 22, the
01:28:26PM 10 pole camera footage on January 29th, 2018, at 10:40 a.m. at
11 Burbank, which is one minute after this call that we just
12 heard. If we could fast forward to 27 seconds into the clip.

13 What did we just see there, Mr. Figueroa, at
14 10:40:32 a.m.?

01:29:08PM 15 A. They just arrive.

16 Q. Who just got out of the car there?

17 A. Obed.

18 Q. He's in the black sweatshirt?

19 A. Yes.

01:29:15PM 20 Q. Who just got out of the car after him?

21 A. Jashua.

22 Q. In the white T-shirt?

23 A. Yes, with a book bag.

24 Q. If we can pause it. Mr. Figueroa, you mentioned an
01:29:35PM 25 individual named Jimbo before?

1 A. Yes.

2 Q. Do you see the residence that Jimbo lived at in this
3 portion of the pole camera clip that we have paused at
4 10:40:55 a.m. on January 29th, 2018?

01:29:51PM 5 A. Yes.

6 Q. Where is his house?

7 A. Can I draw on it?

8 Q. Just touch the screen if you would, yep. All right. You
9 touched the house next to your brother Javi's?

01:30:02PM 10 A. Yes.

11 Q. Okay. If you could clear your mark, please. If we could
12 fast forward the clip to 3 minutes and 46 seconds. Tell us
13 what we're observing here.

14 A. We are observing Jimbo comes out of the house.

01:30:34PM 15 Q. Jimbo's got the red pants and the gray sweatshirt?

16 A. Yes, with the slippers.

17 Q. With the slippers?

18 A. Yes.

19 Q. Where does he go?

01:30:46PM 20 A. He go to my brother house.

21 Q. If we could pause it here. What was Jimbo's role in the
22 operation?

23 A. He was a runner for my brother. At that time he was a
24 runner, he was holding a gun for my brother and that's the one
01:31:01PM 25 that Leitscha refer to as the neighbor -- she be talking, she

1 said the neighbor she about to go see, the neighbor, that's
2 him.

3 Q. What did you say about a gun?

4 A. That he be -- he have a gun, he be watching the block, he
01:31:15PM 5 had a gun on him.

6 Q. He had a gun?

7 A. Yes.

8 Q. Okay. All right. If we can fast forward to 7:01 in the
9 clip. What are we seeing here now?

01:31:35PM 10 A. Jimbo came out, he looking.

11 Q. He came out of where?

12 A. Burbank, 6 Burbank, my brother house.

13 Q. And who else came out and walked down the driveway?

14 A. Obed.

01:31:46PM 15 Q. What's Jimbo doing now?

16 A. He open the door to his car.

17 Q. That's Jimbo's car the gold car?

18 A. Yes.

19 Q. What's Obed doing?

01:31:57PM 20 A. He got his hand in his pocket, he about to go inside his
21 car.

22 Q. Inside Jimbo's car?

23 A. Yes.

24 Q. Did Obed just sit in the front passenger seat?

01:32:08PM 25 A. Yes.

1 Q. And where is Jimbo?

2 A. Jimbo about to go back to his house, he walking back to
3 his house.

4 Q. All right. Now, if we can fast forward approximately two
01:32:23PM 5 minutes later to 9:59 in the clip. Pause it here. Who is
6 that coming out of Jimbo's house?

7 A. That's Jimbo.

8 Q. What's different about Jimbo this time?

9 A. He got a black jacket on, a black hoodie on.

01:32:47PM 10 Q. A black jacket over his gray hoodie?

11 A. Yes.

12 Q. All right. If we can play. If you could pause it there.
13 Did you see anything happen as he walked from the sidewalk
14 across and started walking into the driveway?

01:33:12PM 15 A. Yes.

16 Q. What did you see?

17 A. That he hold his jacket. He got something in his jacket,
18 he swinging to the right.

19 Q. All right. If we could pull it back just a little bit
01:33:21PM 20 maybe about 7 seconds or so, yeah. Thanks. He has his hands
21 in his pockets now?

22 A. Yes.

23 Q. Where is he going?

24 A. He going inside -- about to go to his car.

01:33:56PM 25 Q. Then Jimbo drives that gold colored sedan away from in

1 front of your brother's house; is that right?

2 A. Yes.

3 Q. All right. I'd like you to look at the next tab 1-186.

4 Are your initials on that transcript?

01:34:36PM 5 A. Yes.

6 Q. And did you listen to the call corresponding to that
7 transcript?

8 A. Yes.

9 Q. And who are the speakers in that call?

01:34:44PM 10 A. Leitscha and Leitscha's brother Anthony.

11 **MR. MARANGOLA:** Your Honor, at this time I'd offer
12 Government's 1-186.

13 **MR. VACCA:** No objection, Your Honor.

14 **THE COURT:** Exhibit 1-186 will be received.

01:34:54PM 15 (**WHEREUPON**, Government's Exhibit 1-186 was received
16 into evidence).

17 **BY MR. MARANGOLA:**

18 Q. And before we play that, if we could play the pole camera
19 at 11:08 at Burbank on January 29th, and this is from
01:35:07PM 20 Exhibit 22. This is about seven minutes before this call.

21 What did you see happening there, Mr. Figueroa?

22 A. Jose driving to my brother's driveway, 6 Burbank.

23 Q. All right. If we can fast forward approximately 6 minutes
24 and 10 seconds into this clip. Who is pulling into the
01:35:40PM 25 driveway at your brother's right there?

1 A. Leitscha.

2 Q. That's at 11:14 a.m.?

3 A. Yes.

4 Q. What do you see her doing?

01:35:52PM 5 A. She got out of the car, she walking toward my brother
6 house.

7 Q. All right. If we can pause the clip here and play this
8 call which is at 11:15:02, call being 1-186.

9 Then if we could keep playing the pole camera clip
01:36:45PM 10 that we paused from Burbank, which is the 11:08 clip, and
11 we'll go to 6:37 in that clip. We're watching 11:15:18 a.m.,
12 which is approximately 30 seconds after the phone call we just
13 listened to.

14 Who do we see there, Mr. Figueroa?

01:37:46PM 15 A. Leitscha about to get into her car.

16 Q. She walked away from -- up the driveway from 6 Burbank?

17 A. Yes.

18 Q. And what is she doing now?

19 A. She leaving.

01:38:03PM 20 **MR. MARANGOLA:** Judge, I don't have much more, but I
21 see it's already 1:33.

22 **THE COURT:** Ladies and gentlemen, at this time we're
23 going to recess for the day until 8:30 tomorrow morning. The
24 schedule tomorrow will be 8:30 until approximately 12:45,
01:38:18PM 25 we'll break a little early; Wednesday will be 8:30 until noon;

1 we will not be in session on Thursday and Friday of this week.

2 With that understanding the jury may step down.

3 Please do not discuss the matter or allow anybody to discuss

4 the matter with you. The jury may step down. Have a good

5 night.

6 (WHEREUPON, the proceeding adjourned at 1:39 p.m.)

7 * * *

8 **CERTIFICATE OF REPORTER**

9
10 In accordance with 28, U.S.C., 753(b), I certify that
11 these original notes are a true and correct record of
12 proceedings in the United States District Court for the
13 Western District of New York before the Honorable Frank P.
14 Geraci, Jr. on June 7th, 2021.

15
16 S/ Christi A. Macri

17 Christi A. Macri, FAPR-RMR-CRR-CSR(CA/NY)
18 Official Court Reporter
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